



# **The identification of victims of human trafficking in transit and destination countries in Europe**

A practical guideline for frontline workers

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Cover photo: Calais camps, 2015 © Sonia Kertidou.

## About the STEP project

STEP was written in the context of the refugee crisis and the new challenges this brought in both transit and destination countries across Europe. Due to the increased numbers of migrants, frontline workers were only able to respond to acute needs resulting in unidentified human trafficking situations and risks of exploitation being overlooked. This 24-month project aimed to develop and promote a consistent approach to identification, protection and integration of victims of trafficking across the EU.

**STEP Project: Sustainable integration of Trafficked human beings through proactive identification and Enhanced Protection.**



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## Abbreviations

<b>EU</b>	European Union
<b>HIV</b>	Human immunodeficiency virus
<b>HT</b>	Human trafficking
<b>ID</b>	Identity document
<b>IGO</b>	Intergovernmental organisation
<b>IOM</b>	The International Organization for Migration – the UN Migration Agency
<b>MoI</b>	Ministry of Interior
<b>NGO</b>	Non-governmental organisation
<b>NRM</b>	National Referral Mechanism
<b>PTSD</b>	Post-traumatic stress disorder
<b>PVoT</b>	Potential victims of human trafficking
<b>SOP</b>	Standard Operational Procedures
<b>STD</b>	Sexually transmitted diseases
<b>UASC</b>	Unaccompanied and separated children
<b>UK</b>	United Kingdom
<b>UN</b>	United Nations
<b>VoT</b>	Victims of human trafficking

## Foreword

The years 2015-2016 saw an unprecedented increase in the numbers of people travelling by sea and overland along migration routes to the European Union: almost one and a half million people arrived and applied for asylum in EU countries. This situation required frontline responders to be able to quickly identify and refer potential victims of trafficking in human beings among refugees, asylum applicants and migrants in an irregular situation.

Research has shown that trafficking and exploitation are a major cause of concern for migrants and refugees travelling along the migration routes, yet the number of identified victims remains extremely low. Identification of potential and actual victims of trafficking among people using the routes remains a considerable challenge for frontline workers, even with reduced numbers of people arriving in 2017-2018.

In parallel to the excellent and much-needed work carried out by the STEP project, ICMPD and Terre Des Hommes conducted a research assessment on the same subject: Trafficking along Migration Routes to Europe – Bridging the Gap between Migration, Asylum and Anti-Trafficking (2018). The findings of our assessment underline the importance of these STEP Guidelines for Frontline Workers. The lack of data on identified victims is to a certain extent the result of a vicious circle: there are few recorded trafficking cases among this group, and so the necessary resources are not mobilised to respond and proactively identify cases, which in turn prevents the gathering of accurate statistics. The low number of identifications is also due to the lack of harmonisation and incorporation of anti-trafficking procedures into the first reception and asylum systems, leading to a disconnection between the two processes. Furthermore, existing Standard Operating Procedures and indicators of trafficking do not always contemplate the risk factors that have emerged in the asylum and migration context since 2015, or indeed may not be used at all in this context as they were not formulated taking this phenomenon into account. If identification is lacking, actual and potential victims of trafficking cannot access their rights and the protection, referral and assistance that they are entitled to.

This is why the publication of these STEP guidelines is so timely and welcome. They include clear, practical information and tools to support frontline officers in carrying out identification in their daily operations, allowing them to promptly detect potential and actual cases of THB. It is fundamental in an emergency situation to be able to quickly recognise cases of trafficking and to distinguish them from migrant smuggling, as well as to address migrants' vulnerabilities to trafficking. The guidelines include updated and revised human trafficking indicators, easily accessible for frontline workers and appropriately categorised according to "migration experience", "daily life linked to exploitation", "means of control used by traffickers" and "observable signs (behavioural/physical)".

ICMPD, in the context of another project funded by the EU Asylum, Migration and Integration Fund, has already incorporated the STEP guidelines into a forthcoming e-learning course on trafficking along migration routes for practitioners in EU countries of first arrival. We sincerely hope that many others will follow, by putting these guidelines into practice and ensuring that vulnerable children, women and men, who travel along the migration routes to the EU, do not slip through the cracks of our anti-trafficking response.



**Enrico Ragaglia**

Senior Project Manager

Anti-Trafficking Programme

International Centre for Migration Policy  
Development (ICMPD)

## 1. What is human trafficking?

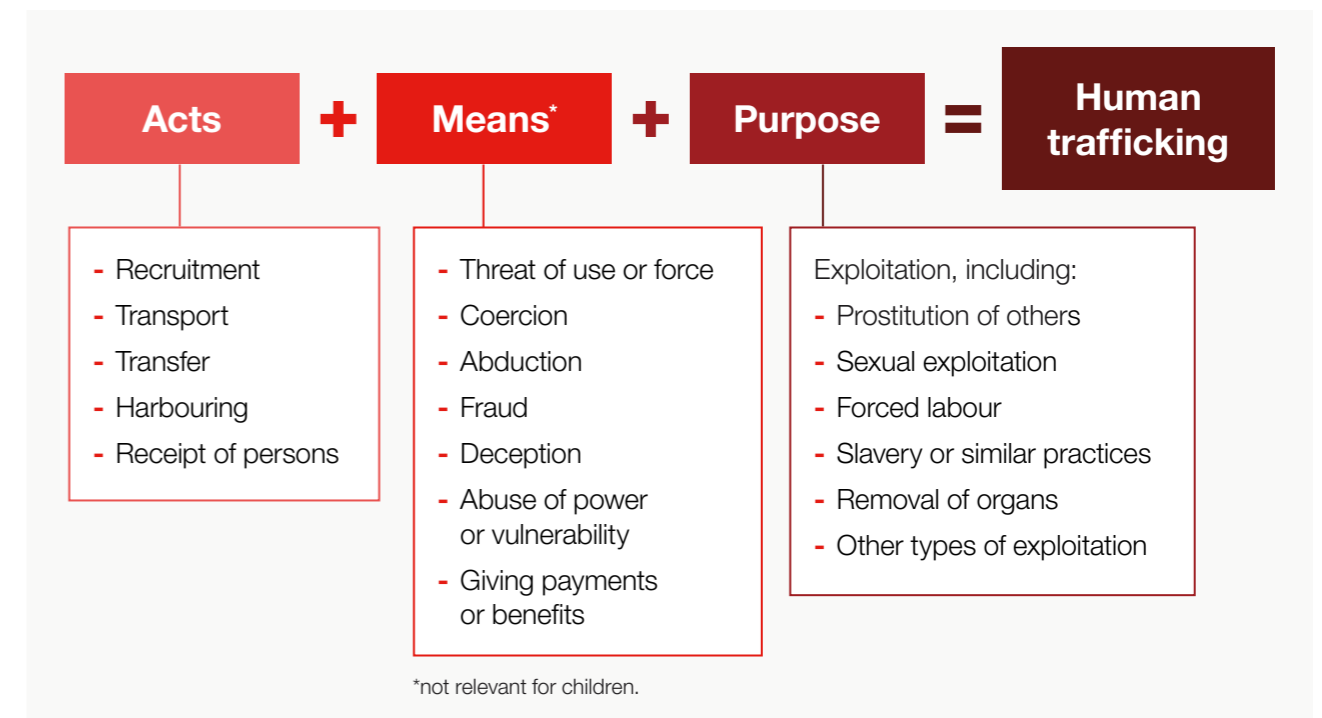
### I. What is human trafficking in relation to migration?

Human trafficking is one of the most serious human rights violations of our modern world and a threat to adults and children of every age and on every continent, whether local or migrants.

At an international level, human trafficking is defined by the Protocol to Prevent, Suppress and Punish Trafficking in Persons, also referred to as the Trafficking Protocol or the Palermo Protocol. This Protocol provides the internationally accepted definition of human trafficking, which refers to "the recruitment, transportation, transfer, harbouring or

receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation".<sup>1</sup>

On the basis of this definition, there are three constituent elements to human trafficking: **acts, means and purpose.**



<sup>1</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime, adopted and opened for signature, ratification and accession by General Assembly resolution 55/25 of 15 November 2000.



**It is important to note that, if the victim is a child<sup>2</sup>, means are irrelevant because children cannot give consent. Any child who is recruited, transported or transferred for the purpose of exploitation is considered to be a potential victim, whether or not they have been forced or deceived.<sup>3</sup>**

**Moreover, in case the adult victim has agreed to the acts or purpose, her/his consent is considered irrelevant if any of these means have been used against her/him.**

Human trafficking does not necessarily refer to violations committed at an international level: it can also occur without crossing borders. However, it is strongly connected to migrations. In their 2016 *Global Report on Trafficking in Persons*, the United Nations Office on Drugs and Crime recognises that, within the context of the refugee crisis, migrants<sup>4</sup> were likely to be targeted and exploited by traffickers, and that the trafficking flows display similarities with regular migration flows.

Indeed, as implied by the actions of transportation and transfer, traffickers can force their victims to move away from their habitual place of residence, using isolation, manipulation and disorientation as means of control. But human trafficking is also very likely to affect voluntary migration, perpetrators taking advantage from the vulnerability of potential migrants in their country of origin and using their desire or need to migrate in order to lure or coerce them into exploitative schemes. Therefore, the connection between migration and human trafficking is deeply rooted in the causes for migration: economic, social and political contexts within the country of origin, including poverty, war, violence and persecutions.

The risk of human trafficking is also present during migrants' journeys in transit countries. Increasingly restrictive border control policies, the lack of safe and legal channels for migrant movements and prolonged stays in the transit countries are aggravating factors for exploitation, as they result in dangerous travel conditions and dependency on smugglers or traffickers to cross borders.<sup>5</sup>

Eventually, risks and vulnerabilities can also be present in the country of destination, especially for migrants who are, or become, undocumented. All these factors stress the importance of understanding migrants' vulnerability to human trafficking and exploitation, and emphasise the need for tools to identify and support victims.

### Learn more on HT

For more information, you can use the Human Trafficking Knowledge Portal that includes case law, bibliographic and legislation databases ([www.unodc.org/cld/en/v3/htms/index.html?lng=en](http://www.unodc.org/cld/en/v3/htms/index.html?lng=en)) or the European Commission "Together against trafficking in Human Beings" page (<http://ec.europa.eu/anti-trafficking>).

<sup>2</sup> *Convention on the Rights of the Child*, article 1 "(...) a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier"

<sup>3</sup> *National Referral Mechanism: guidance for child first responders*, British Home Office, 2016.

<sup>4</sup> In this document, for clarity purposes, we will use the word "migrant" to

refer to any person or group who leaves or has left their habitual place of residence, regardless of their legal status (asylum seekers, refugees, regular migrants, undocumented persons, etc.).

<sup>5</sup> *Trafficking Along Migration Routes to Europe: Bridging the Gap between Migration, Asylum and Anti-Trafficking*, Briefing Paper, EU project TRAM, ICMPD, 2018.

## II. Types of human trafficking

The conditions in which migrants travel often create venues through which people can become enslaved or exploited by human trafficking rings. Traffickers and their victims often come from the same place, speak the same language or have the same ethnic background/nationality, and/or family ties. Such commonalities and similarities help traffickers to gain people's trust. Being of the same gender can also enhance trust from the victim.<sup>6</sup>

In some circumstances, migrants make the decision to take on certain types of work (sex work, labour, domestic help, etc.), voluntarily or due to lack of alternatives. They can also be promised lucrative conditions without requiring foreign language skills, training or documentation. However, upon agreeing to this work, many are abused and treated as slaves and they often fall deeper into poverty. Others are unaware of their coercion into the trade until it is too late.<sup>7</sup>

**Trafficking for the purposes of sexual exploitation and forms of forced labour are the most frequently detected forms**, but trafficking victims can also be exploited in many other ways: for the purpose of domestic servitude, for forced or organised begging, for forced or sham marriages, for state benefit fraud or for organ removal, among other types of exploitation.<sup>8</sup>

**Note that the following forms of exploitation can only be qualified as HT if the actions and the means cited above are involved.**

### Sexual exploitation

This type of exploitation refers to any non-consensual or exploitative sexual acts and services performed without a person's choice or consent to the conditions.<sup>9</sup> There are different kinds of sexual exploitation, such as forced prostitution and escort services, pornography, stripping and sexual services in bars, hotels, spas and massage parlours, sexual services publicised on the Internet (for example via webcams)<sup>10</sup> or in newspapers and entertainment businesses. Sexual exploitation of migrants can

take place at all stages of the migratory path, either in the country of origin, or in transit and destination countries. However the sexual abuse of migrants is a little-acknowledged facet of the refugee crisis in Europe and the Middle East.<sup>11</sup> In many transit countries, young migrants (often teenagers and even very young children) resort to prostitution for survival (a phenomenon often referred to as 'survival sex') in order to be able to pay smugglers to continue their journeys across the continent, either because they have run out of money, or because they have been robbed. Even if these situations cannot be automatically qualified as human trafficking, refugee and migrant children moving in Europe are at heightened risk of violence and abuse, including sexual violence, especially in overcrowded reception sites, collective camps, or in many locations where migrants gather, such as parks, train and bus stations, and roadsides.<sup>12</sup>



### Case of human trafficking for sexual exploitation

Daciana is 30 and lives in a small village in Romania. She was offered a job in France as a waitress by one of her uncle's acquaintance. She accepted and travelled to France with this man, by car.

In France, she was accommodated in a Roma settlement with other Romanian women. One of these woman told Daciana that in addition to her job as a waitress, she must also prostitute herself. Daciana said that she would refuse but the other women dissuaded her from escaping, explaining that the man who brought her to France would threaten or hurt her. They explained that they were also threatened and had to watch each other. Daciana did not speak French and did not know the city she was in. Her trafficker told her that if she tried to seek help she would be imprisoned and sent back to her country like a criminal.

<sup>6</sup> *Global report on trafficking in persons*, UNODC, 2016.

<sup>7</sup> O'Leary C., *Sex Trafficking and the Refugee crisis: Exploiting the Vulnerable*, Council on Foreign Relations, 2017.

<sup>8</sup> *Global report on trafficking in persons*, UNODC, 2016.

<sup>9</sup> *Anti-Trafficking Field Guide*, PROTECT project, British Red Cross, 2016.

<sup>10</sup> Myria, *Rapport annuel 2017: Traite et trafic des êtres humains en ligne*, Centre Fédéral Migration.

<sup>11</sup> O'Leary C., *ibid.*

<sup>12</sup> Gaynor T., *UNHCR concerned at reports of sexual violence against refugee women and children*, UNHCR, 2015.

### Labour exploitation

Forced labour involves people being forced to work in hard and dangerous conditions, long hours, receiving very little or no money for their labour. Forced labour crucially implies the use of coercion and lack of freedom of choice and consent to the conditions of work. Victims of this widespread form of trafficking come primarily from developing countries.

The fact that a worker who is exploited has been deceived about the nature of the job or the conditions of work makes it forced labour. This exploitation often occurs in hidden places like private homes and in jobs related to domestic work, for example when working as a cleaner, or a carer for children or the elderly. Exploitation can also happen in places where those being exploited come into contact with members of the public, such as hotels, nail salons, home-cleaning services, restaurants, bars, cantinas, etc.; or in more physical jobs: on construction sites, in the fishing industry, agricultural or ranch work, factory work, sweatshops or other sectors referred to as the 3'Ds (dirty, degrading and dangerous).<sup>13</sup>

**Even if the person has volunteered for a specific position, it can be exploitation if the working conditions are not what was previously agreed with the employer and if the person cannot leave the workplace at their own will or without consequences. On the other hand, if no means are used to exploit the person, workers that endure poor working conditions because of economic necessity (i.e. overtime for a low salary, lack of safe working equipment, etc.), cannot be automatically classified as victims of trafficking.**

### Forced begging and exploitation for conducting criminal activities

The expression “exploitation for criminal activities” should be understood as the exploitation of a person to commit, inter alia, pick-pocketing, fraud, shop-lifting drug trafficking, ATM theft, and other similar activities which are subject to penalties and imply a financial gain.<sup>14</sup>

### Online trafficking for sexual exploitation

Traffickers are permanently adapting their network, and are often ahead of investigators. To expand and hide their activities, they are widely using the Internet and social media to recruit victims and promote prostitution. “Lover boys” contact victims via Instagram, Facebook and other social media and applications using a fake profile, and recruit them through advertisements for jobs or modelling agencies.

For example, a pimp who creates a fake profile on Facebook might present himself as a woman to recruit persons who would perform commercial sex acts. He pretends to offer hostess jobs in show business. During the photo shoot, he manipulates them until they consent to have sexual relations. Then, using threats, psychological pressure and/or blackmail, he offers them an escort girl job with a fake independent status and never pays them or not the agreed amount of money.

### Case of human trafficking for forced criminality

Minh was still a minor when he was smuggled from Vietnam to the United Kingdom. His parents had funded his journey to what was hoped would be a life with better prospects. Soon after his arrival in the UK, he was recruited by a Vietnamese man who offered him a job and transported him to a cannabis factory. Minh said that he had become frightened when he found out that he had been dealing with illegal activities and wished to leave. He ate, slept and worked in the factory, and he was unpaid. He therefore told his recruiter that he did not wish to work in the factory anymore. He was threatened that if he or any of the other factory workers stopped working, they might be killed.

### Other forms of exploitation

#### Forced or sham marriage

An adult or a child is promised or given in marriage by her/his family or guardian, or any other person from her/his community. This marriage is performed in exchange for money or other advantages in kind. The person who is married has no right to refuse the union. Trafficking has taken place if the bride or groom is held in a condition of servitude for the purposes of exploitation (forced labour, sexual exploitation).<sup>15</sup>

#### The use of women as surrogate mothers for the purpose of forced pregnancy

A modern form of human trafficking where children are turned into commercial goods by being bought and sold, and women are coerced to carry a child for someone else without compensation or in case the agreed conditions have not been fulfilled.

#### Removal of organs

“Often connected with kidneys supplied by live “donors” from developing countries, for transplants in people from developed countries (sometimes called “transplant tourism”). The donation can be voluntary, but they are often deceived about the amount of payment they will receive for the organ, or there is no payment at all. Also, they may not be informed about the impact of the organ removal on their health”.<sup>16</sup>

#### Child soldiers

It refers to boys and girls recruited by armed forces and armed groups. They are often separated from their families at very young age, driven from their homes, used as fighters, messengers, spies, or are sexually abused.



#### Case of human trafficking for domestic servitude

Sara was transported from Ivory Coast to France by Grace when she was 15 years old. She was accommodated in her trafficker's house and worked for her during six years. Grace confiscated Sara's passport, did not regularize her immigration status with the French authorities and never registered her for schooling. Sara carried out a range of domestic tasks and looked after Grace's children without a vacation. She was paid a small allowance and some money was sent to her home country in order to help her family. She never had a private space in the apartment and she slept on a mattress on the floor in the children's bedroom.



#### Case of human trafficking for labour exploitation

Kojo is from Ghana and has obtained the status of refugee in Italy. He was looking for a job as fruit picker and was hired by a man in the area of Rosario. He had to live in a barn which did not have a proper roof or flooring, water, sanitary system or electricity. He had to fetch water and transport it in jerry cans and slept on a beach chair. Kojo had to groom the animals every morning at dawn. At 7am his recruiter would pick him up and drive him to a citrus grove, where he had to pick fruits under his supervision. He had to work 7 days a week under all weather conditions and had only a 30 minutes break during the day. After the day at the citrus grove, he had to treat the fruits with some chemicals, which caused irritation to his hands and only then was he given a pair of gloves. When Kojo decided to leave, his recruiter refused to pay him. He asked him to throw his phone away and, when Kojo refused, he was violently beaten.

<sup>13</sup> EuroTraffGulD, *Practical tool, for first level identification of victims of human trafficking for labour exploitation, “What are the indicators of trafficking for labour exploitation?”* 2013, p.18.

<sup>14</sup> EuroTraffGulD, *Practical tool, First level identification of victims of human trafficking for forced begging and illicit activities, “What are the indicators of trafficking for forced begging and exploitation of criminal activities?”*, 2013, p.5.

<sup>15</sup> OSCE, *Trafficking in Human Beings: Identification of Potential and Presumed Victims. A Community Policing Approach*, SPMU Publication Series Vol. 10, p.10, p.71 et p.72, 2011.

<sup>16</sup> OSCE, *Trafficking in Human Beings: Identification of Potential and Presumed Victims. A Community Policing Approach*, SPMU Publication Series Vol. 10, p.10, p.71 et p.72, 2011.

### Non-punishment and non-prosecution principles

These principles with regard to victims of human trafficking emphasise that people who commit criminal offences while being trafficked should not be held criminally accountable because they have been under coercion to do so.

“EU States’ competent national authorities may decide not to prosecute or impose penalties on victims of trafficking in human beings for their involvement in criminal activities, which they were compelled to commit as a direct consequence of being a victim of trafficking.

The aim of such protection is to safeguard the human rights of victims, to avoid further victimisation and to encourage them to act as witnesses in criminal proceedings against the perpetrators. This safeguard should not exclude prosecution or punishment for offences that a person has voluntarily committed or participated in.”

*Directive 2011/36/EU of the European Parliament and of the Council on preventing and combating trafficking in human beings and protecting its victims.*

### III. Common misconceptions about human trafficking

Before going into the subject of indicators in more depth, it is important for helpers to be aware of their own preconceptions and deconstruct some myths about human trafficking, as they could interfere with the identification of a PVoT.<sup>17</sup> Therefore, in order to respond to human trafficking more efficiently, it is crucial to learn to identify and overcome common myths and misconceptions about the issue.

Misconceptions	Reality
Only women and girls can be victims of trafficking	Men and boys are also vulnerable and affected by human trafficking, often to be forced into labour and sometimes to be sexually exploited.
Trafficked persons can only be foreign nationals	Many trafficking victims are indeed migrants but human trafficking also affects national citizens who are especially vulnerable (in terms of legal status, mental or physical health and precarious economic, social or family situation).
If the person knew what was going to happen to him/her, s/he cannot be considered a victim	Even if a person accepts a proposed situation or to work under exploitative conditions, s/he can still become a victim of trafficking if the offer s/he accepted differs considerably from the conditions s/he faces in the destination country or if a mean has been used (deception, fraud, abduction, etc.).
Human trafficking is synonym of human smuggling	Smuggling is a crime against the State. Human trafficking is a crime against a person.
Victims of trafficking are always trafficked by organised criminal networks	Single individuals can also organise the trafficking of someone.
Human trafficking always implies physical violence and control	This is often true, but victims of trafficking can be subject of mental manipulation (ritual beliefs, “lover boy”).
The trafficker is never a relative of the victims	Victims are often lured or groomed into a trafficking situation by a friend or relative rather than a stranger or acquaintance.
Human trafficking victims always come from situations of poverty	Although poverty can be a factor in human trafficking because it is often an indicator of vulnerability, trafficking victims can come from families with higher socioeconomic status.

<sup>17</sup> TACT, Transnational Action project tools, “Main indicators for the identification of victims of trafficking” International Organization for Migration, EU Asylum, Migration and Integration Fund





## 2. Vulnerability of migrants to human trafficking

We live in a world where thousands of migrants, including children and unaccompanied and separated children, are daily on the move. A large number of migrants continue to risk their lives crossing the Mediterranean Sea on the way to Europe, often experiencing long and perilous journeys. There has been an evolving evidence connecting migration to exploitation, human trafficking and abuse experienced by migrants along these routes. This chapter will discuss migrants' vulnerability to human trafficking by exploring risk factors, at-risk populations and the scale and scope of the phenomenon.<sup>18</sup>

Human traffickers prey on people who are isolated, desperate, disempowered and in need of protection. On-going conflicts and wars, abuse of human rights of individuals or various groups, instability, natural disasters and political unrest all lead to weakening of protective social structures and may result in mass migration flows. The displacement of people and destabilisation of social structures increase people's vulnerability to exploitation and abuse and create a link between migration and the increase of human trafficking.<sup>19</sup>

Since 2015 the flow of migrants escaping conflict, poverty and persecution into the European continent has rapidly increase. Most refugees and migrants entered the EU through three primary routes: the **Central Mediterranean route** from North Africa to Italy, the **Eastern Mediterranean route** from Turkey to Greece, Bulgaria, and Cyprus (often referred to as the **Balkan route**), and the **Western Mediterranean route** from North Africa to Spain.<sup>20</sup> Croatia has predominantly been a transit country in the past, but is increasingly becoming destination for migratory flows. As for France, it has historically been a destination and a transit country, notably for people hoping to reach the United Kingdom. Therefore, the focus of vulnerability analysis is based on a mixed migration context.<sup>21</sup>

After the official closure of the Eastern Mediterranean route and increased border restrictions on migrants' movement in early 2016, the number of people reaching Greece rapidly decreased. Consequently, the Central Mediterranean route from North Africa (predominantly from Libya) to Italy became the main entry point into Europe. It is considered the deadliest and most dangerous sea crossing to Europe. The two migratory routes, Eastern and Central have different demographics of arriving populations. Migrants from different parts of Africa (Nigeria, Guinea, Eritrea, Sudan etc.) are most likely to use the Central route to reach Europe via Italy, while migrants from Middle East and Asia predominantly use the Eastern route via Greece (Syrians, Afghanis, Iraqis, Iranians, Pakistanis etc.).<sup>23</sup>

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**70% of children arriving in Europe have left their country of origin because of violence, conflict or exploitation. In almost one third of cases, children coming from West Africa decided to leave because of violence at home. 1 in 5 girls stated that they left because of early, forced or child marriage.**

*(UNHCR, Refugee and Migrant Children in Europe, Mid-year Overview of Trends, October 2017).*

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<sup>18</sup> IOM, *Migrant Vulnerability to Human Trafficking and Exploitation: Evidence from the Central and Eastern Mediterranean Migration Routes*, 2017.

<sup>19</sup> United Nations Office on Drugs and Crime, *An Introduction to Human Trafficking: Vulnerability, Impact and Action*, 2008.

<sup>20</sup> UNHCR Operational Portal – Mediterranean refugee situation 2017.

<sup>21</sup> Examples of Croatia and France. This guide was developed by the Croatian Red Cross and France terre d'asile as transit and destination countries.

<sup>22</sup> IOM, *ibid.*

<sup>23</sup> IOM, *Migration Flows to Europe – Quarterly Overview*, 2017.



## I. The migration – human trafficking nexus

It is necessary to understand migrants' initial vulnerabilities in order to carry out a development of identification indicators and relevant response measures for frontline workers. Migrants who move out of necessity rather than of their free choice are at greater risk of human rights violations throughout their migration. They are less likely to be able to make informed and safe choices for themselves and their families, and therefore more likely to travel in conditions and take paths that significantly decrease

their safety.<sup>24</sup> Although human trafficking and migration flows are two separate phenomena, they are inter-related issues. While on the move, people are often unable to generate sufficient or any income and they are often forced into solutions such as sex work, forced marriages and forced labour. Living conditions in refugee transit camps, surrounding areas, collective points or reception centres are often inadequate due to overcrowding and a lack of protective measures.

## II. Factors shaping vulnerability to human trafficking

Vulnerability in the context of human trafficking of migrants refers to factors that increase or may increase the susceptibility to exploitation. Factors related to human trafficking vary and can be rather complex; they do not necessarily lead to exploitation.

### At-risk migrant populations along the migratory trails

At-risk migrants on the move are mostly individuals in a position of vulnerability based on age, gender, legal status, disability or socio-economic means (lack of education, poverty<sup>25</sup>): stranded or undocumented migrants, unaccompanied and separated children (UASC) and children on the move, young women and girls travelling alone or without family members<sup>26</sup>, pregnant women, persons who were previously exploited in their country of origin or during their journey, victims of discrimination or torture (pre-existing factors<sup>27</sup>) and persons who suffered psychological trauma.<sup>28</sup>

### Factors facilitating human trafficking or increasing vulnerability and risks of exploitation\*

Vulnerabilities start in countries of origin as people often have to sell their possessions or borrow money to start the journey to safety. For this reason, they often fall into major financial debt to cover the travel costs. It is believed that migrants fleeing from situations of conflict and civil unrest are exposed to prolonged conditions of insecurity, instability, social isolation and desperation, leaving them vulnerable to human trafficking. Displaced people with limited resources are more willing to take risks to grasp any means of survival and provision for their families. This often drives people in poverty and despair to resort to negative and harmful coping mechanisms that put them, and especially their children, at a high risk of abuse. Traffickers profit from these vulnerabilities and the often hopeless situations in which migrants find themselves. They lure victims with offers of better employment, living conditions, even receiving international protection in Europe by charging high fees to plan and conduct their travel arrangements.<sup>29</sup>

\*For more information on these factors, see Annex 2 on page 62.

## III. Difference and interconnectedness of human trafficking and migrant smuggling

Due to the lack of legal venues in entering Europe to access international protection, migrants often resort to illegal and dangerous methods, such as services of smugglers. Because of that, people can increasingly become vulnerable to blackmailing, violence and exploitative treatment.

Human trafficking is frequently associated with smuggling of migrants, even though differences exist between the two phenomena. In many cases there can be a close link between human trafficking and migrant smuggling. They both involve movement of persons and often are facilitated by criminal networks. Trafficking and smuggling can occur for a variety of similar reasons, including poverty in countries of origin and high demand for a cheap workforce in countries of destination. Smugglers frequently use physical and sexual abuse to demand more money from their victims than initially agreed upon.<sup>30</sup> This agreement can lead to sexual or other forms of trafficking in which victims are repeatedly forced to prostitute themselves or work in near slavery condition in order to pay back their "debts." Their irregular legal status, threats of retaliation and fear of abuse or constant control prevent them from reporting abuse to authorities.<sup>31</sup>

As for classification, there are some fundamental differences between the two in terms of **crime against whom, transnationality aspect, consent of the person to the means and the purpose**:

- Human trafficking is a crime against an individual or a group of exploited persons, while smuggling is considered a crime against the state.
- While smuggling involves crossing international border, it does not necessarily apply to exploitation which can take place within the same country, or even city.
- The voluntary aspect of the movement can also indicate the difference between the two. While smuggling is done on voluntary basis and persons using services of smugglers are free after reaching the destination, trafficking involves either force or deception by false promises and leads to exploitation.

However, these differences do not mean that smuggled people are not in a vulnerable position and they could also be subjected to exploitation at any phase of the journey or upon arrival.<sup>32</sup>

<sup>24</sup> UNOHCHR, *Situation of Migrants in Transit*, 2016.

<sup>25</sup> **Poverty** – economic deprivation and the lack of employment alternatives increase vulnerability to trafficking. The need to provide for themselves can drive migrants to accept job offers which may lead to exploitative conditions.

<sup>26</sup> They are vulnerable to crime, physical and sexual violence, and are sometimes forced to offer sexual services in exchange for housing or to meet other basic needs.

<sup>27</sup> **Pre-existing (inherent) factors** which can limit an individual's ability to make choices and to access their rights, and make them vulnerable to being exploited.

<sup>28</sup> IOM, *Addressing Human Trafficking and Exploitation in Times of Crisis. Evidence and Recommendations for Further Action to Protect Vulnerable and Mobile Populations*, 2017.

<sup>29</sup> UNICEF-USA, *End Trafficking Campaign – If You Care About Trafficking, You Should Care About Refugees*, 2016.

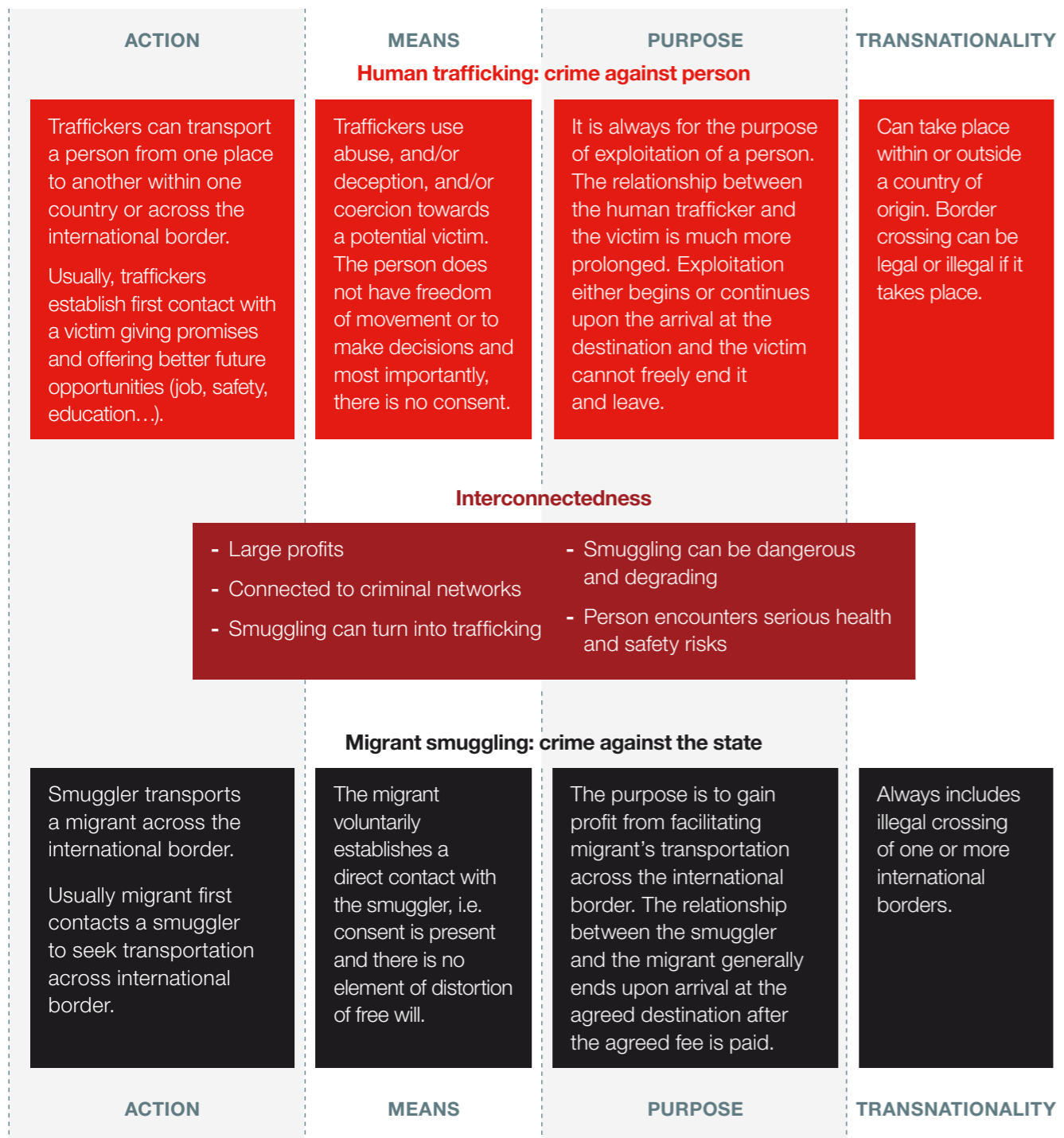
<sup>30</sup> O'Leary C., *Sex Trafficking and the Refugee crisis: Exploiting the Vulnerable*, Council on Foreign Relations, 2017.

<sup>31</sup> IOM Italy, *Press Release: More Women Making Dangerous Mediterranean*

*Crossing – Many Victims of Abuse*, 2014.

<sup>32</sup> British Red Cross, *PROTECT Anti-trafficking Field Guide*, 2016.

Differences and interconnectedness of human trafficking and migrant smuggling



The gap between the two is increasingly narrow, and they often overlap in reality. For instance, migrant smuggling could turn into human trafficking as situations, circumstances or demands from smugglers change.<sup>33</sup>

<sup>33</sup> Pierce S., *The Vital Difference between Human Trafficking and Migrant Smuggling*, Open Democracy, 2014.

Cases of human trafficking and smuggling of migrants



**Human trafficking: Veronica, Nigerian national, age 16, Spain**

Veronica is an orphan and comes from the capital of Benin. Most of her life she spent living in unstable conditions. When she turned 16 she was introduced to a man **who promised her a better life in Europe where she could work as a nanny and earn up 1000 euros per month**. Before the journey, this man took her to undergo **a traditional religious ceremony** to a local voodoo priest, a method aiming to control women under threat of death if they disclose to authorities about their journey and experience.

She was brought via a gruelling trip across Africa to Libya, and then sailed to the Spanish coast on dangerous makeshift boats. Once on the Spanish territory she was handed over to a "Madam" of a Nigerian origin and **forced into street prostitution** until she pays off a **debt of about \$30,000**. The madam and her accomplices had control over her, using all methods of **aggression and threats and resorting to traditional witchcraft practices and rituals**.



**Smuggling: Igor, age 35, Moldovan national, Croatia**

Igor lives in a small town in rural Moldova. He has been jobless for several years and so has his wife. To support his family, he decided to travel to Western Europe in hope to find a job. Twice he did not succeed in crossing the border and was sent back to his home country. He then came across an offer from a smuggler that could help him to enter the West illegally. The smuggler assured him that he knew the border area well and would help him to get across the border. **Before the journey, Igor paid the smuggler 500 euros** and the smuggler drove him to the border where he showed him how to cross the border by foot. It was a difficult trip but he managed to get safely to the desired destination and **find a job to support his family back home**. He worked long hours in harsh conditions, often up to **15 hours per day** but he **received a decent salary** that could finance his stay and start building a small new house in his home country.

### 3. Indicators to identify victims of human trafficking

The vast majority of victims of trafficking are not identified and consequently do not have access to their rights, including assistance, support and protection. Indeed, within a transit or destination context, the opportunity to identify a victim before losing contact is very limited. This short period of time needs to be used efficiently and human trafficking indicators can be very helpful in bringing clarity to frontline workers' intuitions and assessments when meeting a potential victim.

Frontline workers need to keep in mind that human trafficking should not be reduced to migration, public order or organised crime problem. It is first of all a violation of the trafficked persons' fundamental rights. **Therefore, identification of potential victims of trafficking should always be followed by physical and legal protection.** If the person who identifies the victim is not in the position to offer or to arrange this protection, the victim should be directed to specialised response services that will be able to deliver the appropriate support. In that case, it is important to make sure that the victim gives informed consent and that s/he agrees to be taken care of by another organisation or institution. As part of this, frontline workers need to be aware of organisational referral pathways or standard operating procedures (SOPs) if applicable.

To increase the frontline workers' capacity to identify a victim of human trafficking in a short period of time, especially in a transit context, **existing indicators have been revised and new ones developed.** Recognising and identifying PVoT can occur in any part of the migration process and frontline staff have an obligation to detect vulnerabilities, whilst at the same time are in a unique position to observe signs that may indicate a potential case of human trafficking in their daily work with beneficiaries.

These indicators represent the first level of identification and highlight the signs suggesting a possible situation of trafficking. **Using these indicators is the first step before formal identification by national authorities and the provision of effective protection.** During an interview or a face-to-face meeting with a potential victim, cross-referencing several of the following indicators can be useful and helps to strengthen the identification.

However, **workers should first consider the potentially trafficked persons' will and best interests**, and make sure that the identification would be for the victim's benefit. Moreover, s/he should receive all the information about outcomes and options for protection as VoT. Indeed, being identified as a trafficked person, especially in a transit context, can sometimes come into conflict with the person's goal and objectives; for instance, reaching another country. Therefore, informed consent to any step that will be taken during the identification process is a key principle.

Workers or helpers in contact with migrants and who are not specialised in general migration issues or human trafficking are also encouraged to use these indicators: NGOs/IGOs providing services to beneficiaries and victims, social services, trade unions, medical personnel, immigration officials, prosecution authorities, labour inspectorate, the judiciary, child protection services, municipalities, etc. Moreover, considering their specific contact with migrants and apart from general indicators, this document also provides specific indicators useful for two categories of workers:

- Medical staff who have access to health indicators which could lead to human trafficking evidences;
- Law enforcement such as border or organised crime police officers and others with a power of investigation to identify victims of trafficking.

**The indicators listed on the following pages are not exhaustive.**

**The presence or absence of these indicators does not prove or confirm the existence of a human trafficking situation.** The practitioner must use them carefully, and keep in mind that they are only a first step before further assessment. If you notice some of the signs, make sure to express your concerns and follow the NRM or other established procedures.

Although many lists of various indicators have been developed, there is no comprehensive list that would cover all the indicators for all possible trafficking situations. For that reason, it is important to adapt them to each case separately.

Particularly important are the verbal and nonverbal indicators that can point to a case of trafficking, so-called symptomatic picture of a person. These are psychological and physical components of the human personality, i.e. a person's reaction to stressful situations and fear or **sudden changes in behaviour.** These can be, among others: rapid breathing, paleness, sweating, dry mouth, muscle stiffness, tremor, nervousness, dilated eyes, frequent movements of arms and legs, changes in voice, etc. Likewise, suppressing or hiding emotions, fake smiles, false shame or bravery, and any similar behaviour could be sufficient signals. In general, anything disturbing or out of the ordinary can be a pretext for further exploration – trust your gut feeling and do not hesitate to offer a second appointment if you feel something is wrong.

**This chapter is organised in following parts:**

**The first part (I)** aims at assisting the helper in recognising the **preparatory actions of recruitment and transfer and the means used by the traffickers** to lure or coerce the victim into a situation of exploitation. During a conversation or an interview, reference to these actions and means are strong indicators of trafficking.

**The second part (II-VI)** introduces the **indicators of exploitation** followed by **guiding interview questions.** First, **general indicators** valid for all victims of human trafficking are presented. These are accompanied by a list of **general guiding interview questions** applicable to all types of exploitation. Then, the document focuses on **specific indicators** linked to sexual and labour exploitation accompanied by **specific guiding interview questions**, before laying out key aspects of the exploitation of minors. It is followed by a list of **indicators dedicated to transit settings** such as transit reception camps or border crossings. Lastly, **indicators for medical staff and Ministry of the Interior officials** are displayed.

**The last part (VII)** focuses on basic information that can be collected at an early stage or during fast screening. This initial assessment can be made by helpers to identify individuals who seem the most vulnerable to trafficking and offer them a second appointment.



For purposes of clarity, indicators of exploitation have been classified using a colour code. This classification highlights the different categories of indicators that might signal a situation of exploitation and at what stage they might be noticed by the helper:

#### Migration experience

Signs linked to the reasons for migration, the conditions of the journey, the path used by the person and the countries that she/he has crossed or lived in.

#### Daily life linked to exploitation

Living conditions or elements of the persons' daily life that might be signs of exploitation.

#### Means of control used by trafficker(s)

Signs that means are being used to restrict or constrain the persons' freedom of movement, of speech, or to exert psychological pressure on her/him (manipulation, blackmail, abuse, etc.).

#### Observable signs

Possible physical or behavioural signs (actions, ways of behaving and speaking, non-verbal communication and emotions) of exploitation, that could be observed even without engaging a specific conversation with the potential victim.

### I. Human trafficking indicators: existence of preparatory actions

Recruitment and transfer are preparatory actions before the exploitation begins, and these actions can be connected to the use of certain means (deception, force, abuse of vulnerability, etc.). **Disclosure of the actions and means listed below from a potential victim are strong indicators of human trafficking.** The means of recruitment can differ according to the location: in countries of origin, it is often deceit, most likely by relatives or friends; in transit countries, migrants are generally recruited by traffickers using coercion and abuse of vulnerability.

The transfer is not always part of human trafficking as the exploitation can take place in the home country. In countries of destination it is often abuse of vulnerability. If a PVoT presents indicators in the three categories of the HT definition – act (transfer, recruitment), means (deception, forced and/or vulnerability abuse) and the purpose (exploitation) – there is a legitimate suspicion of trafficking.

		Actions of recruitment	
Deception relating to...	The kind of employment, employer and country/destination location	The acquisition of a residence permit	
	The content and/or legality of an employment contract	Conditions of travel and work	
	The possibility of family reunification	Earnings	
	Housing and living conditions	The promise of marriage or adoption	
Force	Abduction, forced marriage, illegal adoption, sale of the victim	Isolation, confinement and control over her/his movements	
	Slavery, servitude due to a debt	Threats of denunciation to the local authorities on a person's irregular status	
	Threats or violence against the victim or the family	Threats to inform family or community	
	Confiscation of documents (passport, identity document or card, visa, work or residence permit, registration papers in transit) or other valuable personal effects (return ticket)	Seizure of money	
Abuse of vulnerability	The person is poor and her/his family is reliant on earnings	Lack of education and/or is illiterate	
	False information on the regularisation procedure in the country of destination and/or promises to legalise the stay	The person belongs to a group that has been discriminated against or does not have equal rights in (e.g. based on gender, status, ethnicity, disabilities, family situation, minority religious or cultural group)	
	Lack of information on the country of destination	Sexual and gender based violence	
	Control by the trafficker or the smuggler (i.e. abuse of power and/or authority: adult/child, husband/wife, etc., or dependency: reliant on trafficker for money, food, etc.)	Psycho-trauma	
		Actions of transfer	
	The person did not organise her/his transport	The person is not aware of the travel route from the place of origin to destination	
	The person had to concealed during transportation	Is travelling in a homogeneous group (middle-aged men or groups of young girls) and does not seem to know the others	



The use of threats and psychological pressure to control someone can be as efficient, or even more, as physical violence.

## II. Human trafficking indicators: indicators of exploitation

### a. General indicators valid for all victims of human trafficking

Remains in a transit country for a long time (Libya, Turkey, Italy, Bulgaria, Croatia, France, Serbia, Greece, Bosnia and Herzegovina)
Has unrealistic or false expectations about life in the country of destination, has been deceived by false promises
Inconsistencies in the description of the migratory journey, blanks in the story, lack of awareness of the travel route from place of origin to destination
Changing her/his migration story, evasiveness, denial, minimising the situation, telling exactly the same story as other migrants from the same area
Significant debt to smugglers, the debt is higher than agreed or increases with time
Not knowing what country they are in
Lifestyle contrasting with their social situation: expensive phone or belongings, dresses above their financial resources
Person often leaves the accommodation in different cars or with different people, or is unable to leave his/her workplace
Offset rhythm of life: sleep schedule, punctuality at appointment and/or missed appointment, repeated and unjustified absences, etc., resulting in fatigue and concentration problem
Has a lot of money in cash
Does not appear to worry or ask questions about accommodation solutions
Is present in a place commonly known to be a place of exploitation
Regularly changes housing
Neighbourhood (or guardian) complaining, for instance about noise, too many people visiting or any other element that could indicate sex work or suspicion of criminal activities
Receives social benefits or payments but is told to hand it over to another person and/or does not have access to the benefits him/herself
Always accompanied by a person or a group, reluctant to one-to-one interviews (for minors, permanent accompaniment by adults and prohibition to speak to unknown adults)
Signs of control by another person (limited freedom of movement, someone else possesses the person's personal documents or s/he has been given false documents)
It seems that the person previously received instructions on what to say
Incessant phone calls, owns multiple phones
Cannot speak alone, always be accompanied by someone who speaks in their place
Is told to sign a contract with companies that provide services (financial, telecommunications services) or offer goods (car, mobile phones etc.), and is forced to hand it over to another person and does not benefit from these services or goods

Seems to be engaged in an unhealthy or abusive relationship with her/his partner
Hyper vigilant/suspicious
Extreme and/or inappropriate behaviour with others
Shortens interactions and appointments, and shows distrust in authorities
Attitude of avoidance: looks away, avoids authorities and does not want to report any violation committed against her/him
Show signs that her/his movements are being watched, constantly looks at someone who seem to be watching her/him
Addictions to various substances
Negative feelings affecting her/his behaviour (anxious, frightened, isolated, ashamed, hopeless, guilty) and reluctant to talk about it
Signs of visible injuries (bruises, cuts, burns, specific tattoos, work related injuries etc.) without previous access to medical care to treat them, reluctant or unable to explain how s/he had been hurt

Migration experience

Daily life linked to exploitation

Means of control used by trafficker(s)

Observable signs

### Examples of general guiding interview questions

#### Migration experience

Why and how did you leave your country? What happened since you left your country? What other countries did you cross before arriving here? Did you choose/know your destination? How did you get to this country? Has anyone taken and kept your personal documents such as identity document or passport? How did you pay for the travel costs? Who arranged your travel? What did you expect before you came? Were you deceived about your living conditions or what you would do here?

#### Daily life

Have you ever seen a doctor here? Do you have any particular health problems? What are your means of subsistence here? Do you work? If yes, do you have any days off? Have you agreed with your employer on your working hours? Are you forced to work for more hours than initially agreed? Do you have somewhere to sleep? Who provides you with accommodation? Do you live with other people? Do you have your own private space to sleep? Do you know your address? Do you know any places here (organisations, doctors, shop, etc.)? Do you know anyone here? Do you have any information about your rights here? Does someone prevent you from going to organisations or social services?

#### Means of control

Can you describe your living/work conditions? Were you forced by someone to perform tasks or offer certain services against your will? Can you leave your job if you want? Have you been told to lie or to remain silent about your life here? Do you earn any money? Do you have access to the money you earn? Is the money used to repay a debt? Has anyone threatened you or your family if you try to leave or if you disclose above the nature of your work? Have you been injured or hurt in any way? Do you have a mobile phone? Who has bought a SIM card for your phone? Can you change the SIM card whenever you want? Are you allowed to go out by yourself or talk to other persons? Are the doors and windows locked so you are unable to leave by yourself? Do you have a room key? Are you allowed to leave the place where you live/work? If yes, are there any conditions? Can other people visit your workplace or is the access restricted? Are you hosted by someone? If yes, are there any conditions? Have you ever been deprived of food, water, sleep? Do you have to ask for permission to eat, drink, sleep or go to the toilet? Do you live with other people doing the same job? Is your activity being watched? Can you choose to stop your activity? Are you in contact with your family and friends? If not, why?

**b. Indicators linked to sexual exploitation**

Does not know which country s/he is in
Has performed commercial sex acts in countries known to be transit countries used by traffickers (for instance, Italy)
At-risk nationality: comes from a country known for its networks of trafficking for the purpose of sexual exploitation (Eastern European countries, Nigeria, etc.)
Regularly receives gifts
Interest in themes around sexuality / contraception / abortion
Works long hours, often leaves during unusual hours
No control or access to protection or contraception
Has had multiple abortions within a specific period of time
Is forced to have unprotected sex
Cannot select/refuse clients her/himself
When a group of women seems to be under the domination of another group or individual
Being escorted from one place to another
The person was bought and sold
Does not want to stop prostitution even if her/his health condition presents a risk (pregnant, illness)
Does not go to regular medical check-ups
Has a STD that is not diagnosed/treated
Is forced to take drugs and/or alcohol

Migration experience

Means of control used by trafficker(s)

Daily life linked to exploitation

Uses a sexually-related vocabulary in the local language or in the language of the client group (she calls her companion "daddy")
Has tattoos or other forms of branding, such as tattoos that say, "Daddy," "Property of..." "For sale," or tattoo of "Roses," etc.
Wearing clothes usually worn by sex workers and has no suitable clothes for the weather (rain, cold)
Negative behaviour (anxious, frightened, ashamed, hopeless, guilt) and reluctant to talk about it
Shows signs that her/his movement are being watched, looks to someone who seems to be watching her
Attitude of avoidance: looks away, pretends not to hear
Extreme and/or inappropriate behaviour, disproportionate reactions to situations (disproportionate laughter or tears)

Observable signs

**Examples of specific guiding interview questions**

**Daily life**

Have you ever seen a gynaecologist here?  
What is your work schedule/preferred time for appointments?

**Means of control**

Can you select your clients? Can you choose the conditions of this activity (contraception, protection, time, places)?

**Exploitation/prostitution**

Were/are you forced by someone to perform/sell/offer sexual services against your will?

**See also general guiding questions on page 21.**



### c. Indicators linked to labour exploitation

#### General indicators

A job was offered to her/him in the country of destination with a good salary and very attractive working conditions
Asks questions about work permit applications
Does not know which country s/he is in
Is denied breaks, days off, and free time
Has to work even when sick or pregnant
Does not receive a salary or a very limited one
Is not provided with pay slips, employment contracts, insurance
A significant number of migrants are accommodated in the same place
Lives and sleeps in her/his workplace
Working conditions (legal and economic) are well below the standards of the host country (dangerous working conditions, no access to a medical service)
Is paid on a piece-rate (results) basis and must work overtime in order to earn the legal minimum wage
Is dependent on her/his employer for transportation and accommodation
Is in a situation of multiple dependency (e.g. reliant on the employer for accommodation, food or other benefits)

■ Migration experience

■ Daily life linked to exploitation

Identity documents or other valuable personal effects are kept by the employer or an intermediary
Provides evidence of being unable to move or leave job
Is sanctioned at work with the use of violence
Suffers sexual or other forms of violence for purposes of submission and control
Entrances and exits are guarded
There is an inaccessible fence around the premises (e.g. too high or surrounded by barbed wire)
A curfew is in place
The workplace is difficult/impossible to reach by public or private transportation or for other reasons (e.g. private household, unregistered business)
Work related injuries due to dangerous conditions and/or lack of safety equipment
Untreated injuries

■ Means of control used by trafficker(s)

■ Observable signs

#### Examples of specific guiding interview questions

##### Migration experience

Did you leave your country to come to work here?  
Were you informed about the kind of work you would do here? Do you have any papers/work permit?

##### Daily life

What is your work schedule? Are you allowed to take breaks or day-off, for instance when you are sick? Do you know your employer? Do you sleep inside your workplace?

##### Means of control

Can you describe your work conditions?  
Have you been physically or psychologically hurt in your workplace?

**See also general guiding questions on page 21.**

### c. Indicators linked to labour exploitation (continued)

#### Domestic servitude

Lives with a family which is not hers/his
Has to take care of all domestic tasks in the house and/or to look after the children on a daily basis, is denied breaks and free time (see other labour exploitation indicators)
Does not eat with the rest of the family
Never or very rarely leaves the house
Has no private space, may sleep on a mattress and/or in the children's bedroom
Is subjected to insults, abuse, threats or the use of violence within the house

#### Forced begging – forced to commit crimes

Is part of a group that has been moving through a number of countries
Has been involved in begging or committing petty crimes in another country
Is forced to engage in criminal activities (snatching, pick-pocketing, shoplifting, burglary, car theft, drug dealing) several hours a day, on a daily basis
Person has no cash with her/him
Has been deceived about the legality of the work and/or is threatened to be denounced to authorities
Individuals with additional vulnerabilities begging on the street or in public transport (children, the elderly, disabled, women who are pregnant or with children)
Vulnerability to exploitation due to belonging to a minority
Physical disability that appears to be the result of mutilation

Migration experience

Means of control used by trafficker(s)

Daily life linked to exploitation

Observable signs

#### Examples of specific guiding interview questions

##### Domestic servitude

###### Daily life

Are you living in your employer's private home? Do you ever leave the house without your employer? Do you have to take care of members of the family? Where do you sleep? Do you have your own private place? Are you treated differently than other people in the house? Are you allowed to eat what/when you want? Are you allowed to take breaks or days-off, for instance when you are sick?

###### Means of control

Can you choose to stop working in this house?

##### Forced begging – forced criminal activities

###### Daily life

Do you participate in activities of organised criminal gangs? Do you live with members of the gang? Are you being forced to steal or to do other criminal activities?

###### Means of control

Are you punished if you do not collect or steal enough goods or money?

**See also general guiding questions on page 21.**



### III. Indicators linked to the exploitation of minors

These previous indicators can also apply to children, but for a more accurate identification we chose to gather specific indicators for minors.

**i** Children are more vulnerable than adults and therefore at greater risk of becoming victims of trafficking.

**Children at risk of human trafficking may be categorised as below:**

**Unaccompanied and separated children (UASC):**

- Children who have fled their country for political, economic or family reasons reportedly may have been aware that they would have to work temporarily along the way to raise enough money to continue their journey. However most of them were not aware of the working conditions and often exploitative practices they could face. The majority of UASC worked throughout their journey in key transit sites, often in heavy physical labour or in other unsuitable, inhumane and dangerous areas of work.

**On the streets and undocumented children:**

- Runaways/missing children

- Children who have been sent by parents/guardians to work on the streets

- Children who have been recruited, abducted or sold by parents/guardians to traffickers<sup>34</sup>

**Children of victims of human trafficking, for the following reasons:**

- Uncertainty of residency procedure and status for both victims and their children

- Parent's inability in taking care of children due to victim's PTSD

- The psychological wellbeing of children of victims is often underestimated, including stigmatisation and isolation of children especially if born outside of marriage

- Children growing up in unsafe environment could be target for exploitation alongside their parents, unmet existential needs, limited rights to services and care.

All children can be vulnerable to HT, even those who are accompanied by their parents. However, vulnerability increases with their unaccompanied status. Among these profiles of children at risk, specific attention must be drawn to **unaccompanied and separated children.**

In the European context, child exploitation includes:

- Using a child (procuring or offering the child) for **illicit or criminal activities**
- **Engaging children in working against their will and/or in work contexts or activities that are likely to harm their health or compromise safety**
- The **employment or use of a child** who has not reached the applicable minimum working age for the type of work environment or tasks
- When it is unclear for whom the child is working and who receives her/his salary
- When a minor is under pressure and is desperate to find work in order to send money to their families back home or along the migratory trail
- **Slavery or the sale of children** (debt bondage)
- Child **prostitution** and child **pornography**
- **Informal marriage** at a very early age may be linked to human trafficking
- **Illegal adoption:** it is driven partly by demand for international adoption, particularly in Europe and the United States
- **Illegal declaration of paternity:** mothers sold their babies to men who were not the biological fathers but stated that they were

**i** When relatives (parents, family members or family friends) are implicated in the exploitation, it is challenging for the child to express their story.

**i** For social workers, contacts with the school can be a source of information on the well-being of the child (truancy cases, antisocial behaviour).

**i** The use of Internet as a tool for production and online dissemination of child abuse images is increasing nowadays and makes it difficult to identify the victims.

**Examples of case studies to showing different forms of exploitation of minors, and the challenges for social services in protecting them:**

**🔍 Young bride, Afghan national, age 17, Croatia, Transit centre**

In a transit centre in Croatia, psychosocial support teams including interpreters did outreach work to assess the needs of migrants, especially of vulnerable groups. One day a Farsi interpreter noticed a **young girl, called Maryam, sitting alone in the corner of the tent** while other members of the group were enjoying a meal in another part of the tent. He started a conversation with her only to find out that she comes from Afghanistan and at the age of 15 she was **forced by her family to marry** one of the older men from the group. She claimed that her husband and his family are often **violent towards her**, condescending, and that she has to carry out various tasks for them such as household duties and working in the fields. When the interpreter offered to help her and suggested to call the centre for social welfare that would take care of her, she changed the narrative and claimed to be 19 years old.

**Afghan national, age 17, Calais, Temporary Reception Centre (CAP)**

Muhammad was identified as a victim of sexual violence and abuses in the CAP and outside. He told the social services teams that he had family in the UK. He spoke about **"Bacha Bazi"** practice and sexual abuses towards Afghan minors but seemed to be too **ashamed** to testify about his personal story. He was offered a place in the emergency shelter for minors (Saint-Omer) and the organization even drove to the place to show him how it looked like. But the young boy refused.

<sup>34</sup> OSCE, *Trafficking in Human Beings: Identification of Potential and Presumed Victims. A Community Policing Approach*, SPMU Publication Series Vol. 10, p.51, 2011.



### Indicators linked to exploitation of minors

#### General indicators for all minors

Does not have any clear information on the country of destination
Has travelled with an adult that is not her/his parent or legal guardian
Recurring reports on illegal activities
Children working on the street: selling items (cigarettes, newspapers, drinks, toys, flowers, etc.), cleaning windshields at traffic lights, begging, etc.
Runs away from shelters/accommodation
Absenteeism or dropout from school
Is engaged in work that is not appropriate for her/his age
Has no time for playing
Has no friends of the same age outside of work
Is lying about her/his age in order to escape national child welfare
Uses drugs and/or alcohol
Is part of a group of children under the authority of an adult or an older child
Has no access to legal guardians
When the minor is accompanied, the accompanying person can introduce themselves as a relative or a family member, but during the interview it seems like they do not really know each other and give contradictory information on their migratory route and their final destination
Comes to an appointment with an adult who wants to attend the interview
Is picked up by an adult directly after an interview or appointment
Does not behave in a way typical of children of the same age (i.e. being abnormally intimidated or outgoing, sexually explicit behaviour, etc.)
Appears to be forming unhealthy relationship with adults
Unusual behaviour of the child towards the accompanying person (anxious, afraid)
Visibly exhausted and in a state of alarming poor hygiene
Unaccompanied and separated children are presented as siblings when they seem to have no resemblance, no emotional attachment

- Migration experience
- Daily life linked to exploitation
- Means of control used by trafficker(s)
- Observable signs

#### Sexual exploitation

Pregnant child
Child size clothes generally worn by sex workers
Unaccompanied children carrying telephone numbers for calling taxis
Sexually explicit behaviour
The presence of toys, beds and clothing for children in inappropriate places such as brothels and factories

#### Forced begging and illegal activities

Moves every day in groups of several children, especially in popular or touristic places
Belongs to a group of children of the same nationality
Transports or resales drugs or other illicit products
Is only given leftovers to eat
Disabled or mutilated children

- Daily life linked to exploitation
- Observable signs

#### Examples of specific guiding interview questions

##### Migration experience

Do your parents/family know you left your country?  
Was it your decision or theirs?

##### Means of control

Have you been hurt or intimidated?

**See also general guiding questions on page 21.**

##### Daily life

Where do you live/sleep? Is there an adult living with you? Do you go to school here? If yes, do you go every day?

#### IV. Specific transit indicators

All indicators presented above can be used within a transit migration context. However, helpers working in a transit context should pay particular attention to the following indicators, as they are more likely to reveal an exploitative situation in these circumstances.

##### General

Women and girls who travel alone, group of women travelling with a man who is not a relative
Difficulties in terms of independently organising the journey – knows very little about the country of destination or the place they should arrive at
Has received false information about the legal regulations and attitudes of authorities in the country of destination
Does not possess personal documents or finances and/or has forged documents
Keeps looking in fear at a particular person from the group or stands aside from the group – indicating that she/he does not naturally belong to the group (especially for UASC)
Inconsistencies in group settings – age of children does not correspond to the natural birth order, others pose as close relatives or trusted family friend although they have no physical resemblance or visible emotional attachment to each other, know very little about each other or give contradictory information regarding journey and reasons for travels

##### Minors

Begging, selling small items, committing petty crimes in transit countries
States that they were separated from their family during their journey or that they were sent by their parents from a country of origin
Group of younger children of similar age travelling alone or with an adult
Group of teenagers of the same sex accompanied by an adult
Travels with an adult who is not a relative but who insists to be present with the child all the time

- Migration experience
- Means of control used by trafficker(s)
- Daily life linked to exploitation
- Observable signs



Photo © Finnish Red Cross

## V. Indicators for medical staff

Medical staff who works closely with migrants or in a context of transit migration should be aware of the risks of human trafficking among this population and how to identify a potential victim. Before engaging in a conversation with a patient, one should assess the potential safety risks that may result from asking

sensitive questions. Medical professionals should recognise that the goal of this interaction is not disclosure or rescue, but rather to create a safe, non-judgmental place that will help them identify trafficking indicators and assist the patient.<sup>35</sup>

### 1. General medical indicators

#### Psychological

Trauma bonding with trafficker or other victims (e.g. Stockholm syndrome)
Nightmares, traumatic memories
Suicidal ideation
Increased engagement in high risk behaviours, such as running away or early sexual activity if a minor
Phobias
Self-mutilation
Eating disorders
Abuse of toxic substances and alcohol
Post-traumatic stress disorder: <ul style="list-style-type: none"> <li>- Persistent symptoms of increased arousal (difficulty falling or staying asleep, irritability, outbursts of anger, difficulty concentrating, exaggerated startle response)</li> <li>- Intense distress/reactivity following a phenomenon that symbolizes or resembles the traumatic event</li> </ul>
Hypervigilance or paranoia, fear, depression, submission, tension and/or nervousness
Attachment disorders: <ul style="list-style-type: none"> <li>- Lack of or difficulty in engaging in social interactions</li> </ul>
Signs of withdrawal, fear, sadness, or irritability
Depersonalisation or derealisation: <ul style="list-style-type: none"> <li>- Feeling like an outside observer of themselves, as if watching themselves in a movie</li> <li>- Emotional or physical numbness of senses</li> <li>- Feeling alienated from or unfamiliar with their surroundings</li> </ul>
Distortions in perception of time and space
Dissociation disorders: <ul style="list-style-type: none"> <li>- Memory loss</li> <li>- A sense of being detached from themselves</li> <li>- A lack of a sense of self-identity, or switching between alternate identities</li> </ul>
A perception of the people and things around them as distorted or unreal

#### Behaviour

Unable to provide current address
Delayed physical or cognitive development
Difficulty establishing or maintaining healthy relationships
Alienation
Reluctant to be helped
Has been treated in several different hospitals but does not seem to have an adequate follow-up
Does not have health insurance
Medical history does not correspond to injuries
Medical history recited mechanically and/or formatted
Reports of family violence – physical, emotional, and/or sexual – or neglect

#### Physical

Neurological conditions: headache, migraine, fatigue, memory loss, vertigo of unknown cause, insomnia
Cardiovascular/respiratory conditions derived from stress: high blood pressure, arrhythmia, acute respiratory distress
Gastrointestinal conditions derived from stress (constipation, irritable bowel syndrome)
Eye weakness due to work in a dimly lit environment (sweatshops)
Nutrition problems (malnutrition, acute weight loss, loss of appetite)
Signs of abuse/physical violence or unexplained injury (cuts, burns, fracture, broken tooth, signs of torture, traumatic brain injury)
Appearance of extreme exhaustion (dark circles under the eyes or puffy eyes, slow movements of the body), ashen complexion
Infectious diseases (tuberculosis, intestinal parasites, hepatitis)
Chronic disease not detected or treated (diabetes, hypertension)
Benign persistent disease that could be easily treated if the person was medically followed
Impetigo and fungal infections
Untreated STDs
Multiple abortions
Tattoo on the neck or lower back and the person is reluctant to explain its meaning

<sup>35</sup> National Human Trafficking resource centre, *Identifying Victims of Human Trafficking: What to look for in a Healthcare setting*.



## 2. Medical indicators related to types of exploitation

### Sexual exploitation

Reports a high number of sexual partners (given the age of the person)
Children who express an interest in a relationship with an older person
Does not want to talk about her/his sexual activities
Involuntary pregnancies/multiple abortions
Evidence of sexual or genital trauma
Untreated STDs
Persistence of sexually transmitted disease or untreated urinary tract infection
Incontinence
Presence of unusual or unexplained scar tissue
Victims of the sexual exploitation are often beaten in areas that do not harm their appearance, such as lower back
Muscle tension
Evidence that the victim has had multiple sexual intercourses during menstruation, for example: use of cotton balls or other products which leave residual fibres
Any pharyngeal trauma (lacerations, tears)

### Exploitation of minors

Growth delay, vitamin deficiencies and other consequences of chronic under-nutrition
Delay in physical and cognitive development
Sexually explicit behaviour
Long-term effect of inadequate treatment of a childhood benign disease

### Organ trafficking

Surgical scar
Removal in addition to the "agreed" organ, including vital organs

### Labour exploitation

Health consequences of prolonged exposure to extreme temperatures or to certain chemical components (agriculture, industry)
Skin condition due to lack of hygiene or handling of dangerous products
Back pain, sensory (vision, hearing) and respiratory problems
Growth and/or lack of cognitive development
Infection transmissible by blood
HIV/Hepatitis B or C
Vulnerability due to a disability or other psychological or physical condition of vulnerability (e.g. pregnancy) for the purpose of begging
Have physical impairments that appear to be the result of mutilation (in case of begging)

## VI. Indicators for Ministry of Interior officials

When dealing with PVoT, police officers must keep in mind the importance of preserving evidence because at a later stage it might be used to support criminal prosecution. If it is legal, police can seize the phone of the person accompanying and detaining

individuals accompanying the victim.

In the case of certain illegal activities, police officers need to pay attention to the question of whether the perpetrator was forced to commit the crime.

### General

Missing-person cases, homicides
Suspicious family relations – incompatibility in years: for instance too many children of too close age to each other
The person had to lie during border control
A third person gives the passport back to the person just before crossing the border
A third party (e.g. driver) answers questions on behalf on one or several passengers
Person urges to be returned or deported to the country of origin and/or not to be sent back to his/her work place or employer in the current country
Travel documentation and statements provided by the person do not match other observations (luggage, physical appearance and condition, language abilities, etc. do not correspond with the person's story)

### Sexual exploitation

Recurring reports of minors prostituting themselves
Availability of counterfeit documents proving the existence of fictional kinship relations between victims and traffickers
Forced marriage and marriages of convenience with citizens of the destination states
Inappropriate body language/flirting with policemen or border guards

### Labour exploitation

Fictitious possession of bank accounts which are used by the traffickers
The owner or manager of an enterprise tries to limit police access to the site
Obligation to pay the employer or pay for work permit to get the job

### Specific to domestic work

Conditions of servitude or near-slavery situations
Forced cohabitation
Forced activities other than work (sexual abuse)
The person has been reported missing by her/his employer even though s/he is still living in the employer's house

### Begging, perpetration of criminal activity

Forced daily engagement in criminal activities (bag-snatching, pick pocketing, burglary, vehicle theft, shoplifting, drug selling) for several hours during the day
Reports of non-compliance with compulsory education laws for under-age victims
Recurring reports of minors involved in begging and/or illegal activities
Illegal international adoption of foreign minors
New forms of gang-related crime appear
There is an evidence that suspected victims have been involved in begging or in community petty crimes in another country

## VII. Human trafficking indicators: collection of basic information

Basic information can be collected during the first screening of PVoT. This information can be used to determine if a person is particularly vulnerable to the risks of trafficking and needs to be offered a second interview and/or given specific attention.

<b>Name</b>	<ul style="list-style-type: none"> <li>- Person already registered as a beneficiary in the database of a partner organisation</li> <li>- Person already identified as a victim of trafficking</li> </ul>
<b>Gender</b>	<ul style="list-style-type: none"> <li>- Belonging to a gender group subject to discrimination in her country of origin or destination (woman, transgender)</li> </ul>
<b>Age</b>	<ul style="list-style-type: none"> <li>- Being a child (separated or unaccompanied)</li> </ul>
<b>Nationality</b>	<ul style="list-style-type: none"> <li>- Coming from a country known to have high prevalence of HT and/or a poor or conflict or post-conflict region Based on the current trend in 2018, the countries of origin with a high risk of trafficking are: Afghanistan, Romania, Albania, Bulgaria, Bosnia and Herzegovina, Morocco, Algeria, Libya, Nigeria, Somalia, Ethiopia, China, Indonesia, Philippines, Thailand and Vietnam<sup>36</sup></li> <li>- Belonging to a minority group subject to discrimination</li> </ul>
<b>Legal status</b>	<ul style="list-style-type: none"> <li>- Not carrying her/his own documents – somebody else in charge of them</li> <li>- Asylum seeker</li> <li>- Refugee</li> <li>- Irregular migrant</li> <li>- Travel documentation and statements provided by the person do not match other observations (luggage, physical appearance and condition, language abilities, etc. do not correspond with the person's story)</li> </ul>
<b>Languages</b>	<ul style="list-style-type: none"> <li>- Does not speak the language and/or has little or no knowledge of the country of destination</li> </ul>
<b>Education</b>	<ul style="list-style-type: none"> <li>- Low level of education</li> </ul>
<b>Socio-economic situation</b>	<ul style="list-style-type: none"> <li>- Unemployed</li> <li>- Low or inadequate pay</li> <li>- No social insurance</li> </ul>
<b>Others</b>	<ul style="list-style-type: none"> <li>- Unemployed</li> <li>- Low or inadequate pay</li> <li>- No social insurance</li> </ul>

<sup>36</sup> For updates, please see the *Global Report on Trafficking in Persons* by the United Nations Office on Drugs and Crime.



**Gathering this information without the person's consent and/or without proper authorisation and guarantees to ensure confidentiality can be illegal, and could compromise her/his security. Also, make sure you are the person best placed to collect this information or refer to someone who has more knowledge/expertise. Take into account gender perspective and ensure the victim understands the questions that are being asked, and the purpose of the interview.**



## 4. Principles and recommendations when working with trafficked persons

### I. Basic principles when working with trafficked persons

Effective communication with PVoT, from receiving disclosure from trafficked persons to assisting them in their recovery process, should be based on certain basic principles. In order to establish trust and to enable a good relationship between the beneficiary and the helper (and interpreter or other staff), you need to be familiar with these principles and able to implement them in practice when communicating information to trafficked persons.

#### The principle of safety

The safety of the victim and her/his family should be always ensured. They are at increased risk of ongoing or further violence that can lead to, in extreme cases, murder or suicide. In their work, help providers have to assess safety risks and minimize the risks arising from isolation and discrimination.

**A victims' sense of security and trust in other people has been severely affected by their experience of exploitation. To the victim, the world can now seem like a dangerous, chaotic and insecure place where nobody can be trusted.**

#### TRACKS' toolbox

TRACKS was a European Union project focusing on the identification of trafficked asylum seekers. One of the outcomes was a toolbox to help social workers to identify victims of HT that can be used for self-training purposes and is available online on the Immigrant Council of Ireland website.

#### Ensuring safety of victim

- When meeting the person for the first time, inform the person on what organisation you represent, what services are available and what you can offer
- Inform the person on further steps, make sure you are clear and transparent in the communication
- Remain calm, even if the person is extremely distressed
- Always be honest so the person can rebuild a sense of trust needed for a successful recovery
- Evaluate immediate and long term safety risks
- If appropriate, stress that the exploitation experience is over and that the person is safe now (do not promise the person safety unless you are sure of that)
- Develop a casework plan with them including safety steps (see in following chapter)
- If you think that the PVoT is accompanied by a potential perpetrator, you should try to separate the victim from the other person. In general, interviews should always be carried with only one person at a time (no more than 3 persons in the room with the helper and the interpreter)

#### The principle of confidentiality

Confidentiality is the main pillar of the provided support to the victim. Service providers must make sure that the victim's personal information is carefully treated and not disclosed with other persons and service providers unless informed consent is given and that s/he fully understands about the usage of the information.

The disclosure of personal information about the victim may negatively affect your relationship with the person, resulting in a loss of trust in you and also in the organisation you represent. It can lead to stigmatization, discrimination and exclusion from their family or community. Furthermore, it can compromise the person's safety or her/his family's; and endanger you or others who are involved in the assistance programme.

Confidential personal information includes any personal data such as information on their health, details of experience and other elements that can reveal the identity or the location of the potential or identified victim.

Although there are numerous risks, there are also certain benefits of sharing relevant information, especially for those who experienced traumatic events. This concrete information shall only be shared among a limited number of persons involved in providing assistance and support, and only if safety procedures and data protection rules are strictly respected. Sharing information between social workers, psychologists, doctors, etc., reduces the need for the victims to repeat the details of their traumatic experience, which can lead to the return of powerful and disturbing emotions.

#### Ensuring confidentiality in practice

- Make sure that the door is closed and that you will not be disturbed by anyone entering the room during the interview.
- Make sure that all information gathered is stored securely (e.g. files should be locked, digital documents secured with password, lockable office).
- If you need to share information with other agencies or services providers when referring the person, it is necessary to first obtain the victim's informed (preferably written) consent. If the victim is a minor, make sure to consult with her/his parent or appointed legal guardian.
- Do not pressure the person to give consent or do not decide on her/his behalf.
- Share only necessary and relevant information with others involved in providing assistance and support. The victim should be aware of what information is shared and why.

#### There are some situations that require exceptions to maintaining confidentiality. They are:

- If a victim has intention to hurt her/himself;
- If there is a risk that the victim intends to hurt others;
- When a child is in danger;
- If national or international legal provisions require mandatory reporting – make sure to inform the person on these provisions before they disclose, to give them an option on whether they wish to go further with sharing their story.



### The principle of respect

The principle of respect means treating victims with dignity, accepting them without judgement and respecting their wishes and rights. We look at the victims as the main actors in the situation, and whose recovery process should lead to regaining control over their lives. During exploitation phase, traffickers were making decisions for their victims in order to control them. Victims were deprived from making their own decisions, even those related to meeting basic needs for food, water and physiological needs.

The role of the helper is to provide support in the process of recovery and to provide help in problem solving and taking back control of their lives. We should assist the victims to find solutions to their problems by themselves in order to decrease dependence on the support services. Victims should have control over all forms of assistance and protection they are provided with and in all actions we take to help them, we need to respect their wishes and choices.

### Ensuring respect

- Do not pressure the person to give you details of her/his exploitation experience if s/he is not ready.
- Do not question her/his story. If it is not consistent, try to help them to get their ideas across and thoughts clear. The memory issues could be caused by her/his traumatic experience.
- If you do not feel confident in working with the PVoT due to their story or because of your abilities to support her/him, do not hesitate to hand the case over to a more experienced colleague or to another organisation.
- Be gentle and patient, do not blame or judge the person because of what s/he has experienced.
- Acknowledge their feelings. Victims could think that their reactions are not appropriate. Explain that their reactions are normal regarding of experience they were exposed to.
- Respect the right of the victim to only participate in the conversation with persons of a preferred gender.
- Do not expose the victim to situations in which s/he should repeat the story if it is not necessary.

### The principle of non-discrimination

Everybody has the right to receive the best possible assistance without discrimination on the basis of gender, age, disability, race, colour, language, religious or political beliefs, sexual orientation, status or social class, etc.

### Non-discrimination in practice

- Reflect on your own prejudices and assumptions.
- Offer all needed support and assistance to all beneficiaries without discrimination, considering their needs, abilities and cultural background.

### Do no harm

The importance of this principle should not be neglected when working with beneficiaries, especially with those who have experienced some traumatic event, such as victims of trafficking. Providing casework to victims, it is extremely important to assess whether there will be any possible negative consequences for their security, mental state or ability to exercise their rights. Never take action that could exacerbate the situation of the affected person. If the negative consequences cannot be avoided, do your best to minimize them or choose the one with the least damaging effects.

In working with victims, you can ask yourself the following questions that can help you to respect this principle:

- Is this question necessary to evaluate the victim's needs or to provide her/him with required services?
- Do I have the victim's permission to take the preferred actions or services? Is that her/his wish?
- What are the benefits for the victim to take this particular action?
- Can a particular action or service cause negative consequences?
- Can the negative consequences be avoided or diminished? If so, how?

### Informed consent

While providing assistance and support, actions may only be undertaken with the informed consent of the victim. Before requesting their consent, it is necessary to explain in a comprehensive manner what actions and procedures will be taken. Providing information has to be tailored to the age, psychological and physical state and mental capabilities of the person.

If you cannot speak with a person in a language they understand, then you need to use an interpreter.

When it comes to minors, before taking any action it is necessary to contact a legal guardian who will represent the victim's rights and interests. Decisions should be made in cooperation with the child, and in her/his best interest.

The fundamental right of every beneficiary is to be informed about upcoming and future actions and procedures before accepting or rejecting certain services. If needed, provide the victim with time to think about their options, give them opportunity to ask questions and the possibility to come back to you before they can make an informed choice.

### After the victim has been fully informed of what is expected of her/him, s/he has a right to make a decision and to consent or not to the procedures and provisions of assistance.

- In simple words explain why you seek their consent to the procedures.
- Keep a professional and neutral attitude, never pressure the victim and do not suggest what you think would be good to do. It is important that you give the victim freedom to decide what s/he wants and to let them know that their choice will be accepted without prejudice.
- Encourage the person to ask for explanation of details that are not clear to them.
- A person seeking consent should emphasise that the victim will make their own choices and that there are not consequences for refusing to consent.

## II. Recommendations on communication

The terminology that we use in communication with a person who was exposed to human trafficking can affect how a person sees her/himself. For their recovery process, it is important that they no longer feel like victims and that they can restore control over their lives. Many people who were exposed to exploitation felt helpless in their situation. Therefore, a crucial aspect of their recovery is the feeling that they have control over what is happening to them. In this document we use the term “victim”, which refers to the legal status of a person who is victim of a crime or to highlight that the person is the victim of a crime and is therefore entitled to protection. In direct conversation with the trafficked person, it is not recommended to use it. It can imply that the person is helpless, weak, passive or powerless – but, at the same time, while using it we acknowledge that VoT suffered, survived and that they are resilient and have strengths that can support their empowerment. Therefore, it is recommendable that, in a direct conversation with a person, helpers use terms such as “a person exposed to human trafficking”, “trafficked person” or “survivor”.

People who have experienced trafficking have often been subjected to manipulation, fraud and abusive behaviour, which may influence their trust in others. Because of this, they may have difficulties in opening up. Consequently, this can make it harder to identify the victims and also creates a barrier for them in accepting or even refusing to receive assistance and protection programmes. For this reason, and especially during the initial contact with the victim, it is very important to know how to handle such conversation and it requires specific knowledge and skills. Asking the right questions can help you determine if the person is a PVoT or not. It is important to talk with a person in a safe place where they can gain trust and disclose their experience.

At the beginning of the conversation, provide them with clear and understandable information, especially about confidentiality, making their own choices and informed consent. By delivering complete and accurate information, you can empower the victim and restore their control over the situation. It is therefore very important not to give promises that you cannot fulfil and hopes with certain outcomes.

### It is necessary to be transparent and to provide clear and understandable information on available services:

- Say your name and surname, describe briefly what you do and the organisation you represent;
- Describe the procedures/processes that will follow, explain the schedule and venues, duration and who will be included during the process;
- If you need to take notes, always first explain reasons for that and ask for the person's permission. If you take notes on a computer, it can be a good idea to turn the screen in a way that the interviewed person is able to see it.
- List all forms of support and assistance your organisation can provide, be clear about what you cannot offer as a service provider, and explain potential risks and benefits;
- Specify the assisting worker's obligations as well as victim's, and emphasise the confidentiality of personal data and precautionary measures that may be carried out;
- Emphasise their right to choose whether to participate in any part of the programme, process, or activity.

Also, the process of establishing trust can also be significantly affected by the way you ask questions, and in what order. Follow the sequence of questions to adjust to the situation, but keep in mind that less sensitive issues should be discussed at the beginning of the conversation. It is useful to start with questions that show your interest and concern for the person's wellbeing because it helps building trust. It is sometimes better to leave sensitive issues for later, when you develop a closer relationship with the victim. Each person is different and will deal with the trafficking experience differently. After difficult/serious questions about their disturbing experiences, at the end of the conversation, it is good to ask a less sensitive question to ease the person from negative thinking. The last question should show that you understand the person and acknowledge their strength and courage.

The tone of voice has the same level of importance as the content of questions. It should never sound accusing or suspicious. You will get more relevant answers to your questions if you ask them with true interest and concern for the victim. You should always treat the victim with understanding, acknowledge what they have been through, and empathise with them if they refrain from conversation, for instance due to recollection of difficult memories. Showing care and understanding will help for victim to restore her/his trust in people.

Sometimes it is useful to advise the victim to take a deep breath before answering the question or remind the person that they can answer the question later. Successful communication with the victim is based on trust. Therefore, the person providing support should be prepared to wait for disclosure and never force a conversation that trafficked person is not yet ready to have.

Keep in mind that the victims have a very good reason not to trust others and sometimes provide incomplete or wrong information. Therefore, even if the person does not tell the truth, refuses to disclose some information about the trafficking experience, forgets or changes some parts of the statement, this is not a reason to discredit the full testimony or to declare her/him unreliable. If there is no real evidence that the victim does not speak the truth, it is not necessary for you to pass any judgements in your role as a helper. **As a helper you must be prepared to believe that the victim is telling the truth.**

Victims often blame themselves for what has happened to them. It is important to let them know that they are not guilty of these events. It is very useful to emphasise that trafficking in human beings is a crime experienced by many people and that they are not responsible for being deceived or forced into exploitation. With such assurance, the helper shows that s/he does not condemn and does not blame the victim and, more importantly, the victim will feel less guilty and may begin to recover. It is very important to show that you understand the horrors of the trafficking experience and the cruelty and injustice done to them. Remind the victim of how brave it is of them to accept the circumstances and highlight the steps they have taken to protect themselves or others.

At the end of the interview, summarize all the information you collected and check if the person understood everything correctly. Always suggest another appointment, or stress that she or he can come back to see you after the interview, make sure your opening hours or the way to schedule an appointment is stated clearly. Refer the person to partner organisations according to the needs that s/he expressed or that you identified, and according to your own possibilities.

### General guidelines for conducting the interview

- Have an open and relaxed body posture;
- Be calm;
- Build trust, be patient;
- Check realistic needs of the victim and identify priorities in co-operation with the victim;
- Listen carefully, allow the victim to talk without interruptions and do not make any assumptions;
- Ask short and clear questions;
- Ask open-ended questions (an open-ended question is designed to encourage a full, meaningful answer using the subject's own expressions and descriptions);
- Start with the general questions, and during the conversation gradually switch to specific questions;
- Mind the language and terminology you use – use a simple language, do not use abbreviations, professional expressions, and jargon;
- Do not offer medical, legal or any other advice for which you are not accredited/educated;
- Always be honest in what you can provide/do; do not make promises that you are not sure about;
- Make sure the victim understands well everything that is being discussed.



The key components that help during the conversation with the victims are empathy, giving support and encouragement, patience, active listening, uninterrupted discussion without criticism and condemnation.

### Do's

- Ensure safety;
- Explain confidentiality;
- Regularly give relevant information (who you are, what is your role, available services, next steps...);
- Talk to your manager/coordinator.

### Evaluate the situation:

- Try to talk with the person and find out more information, listen to what other migrants/people in similar situations say;
- Ask if s/he wants to report to the police; if so, offer your assistance on that matter;
- Inform the person of his/her rights, as well as other service providers that can provide the necessary assistance;
- Inform the coordinator or the person responsible for protection or safeguarding matters;
- Be careful not to endanger yourself and the victim;
- Proceed the case according to the NRM and your own competences;
- Inform the police if the person or you are in immediate danger.

### Don'ts

- Put your own or the person's safety at risk;
- Investigate or interrogate;
- Question what someone is telling you;
- Contact authorities without informed consent (unless there is a danger to life!);
- Make false promises;
- Ask questions that can re-traumatize the person.

## III. Active listening<sup>38</sup>

One of the key elements of effective communication is active listening. Active listening involves listening with understanding and with total attention. It means paying attention to all the different ways in which a potential victim expresses her/himself, including nonverbal behaviour (posture, speed of speech, silences), the person's voice (tone and quality), the person's choice of words, and the meaning behind the words and what is not said.

In working with potential or actual victims of trafficking, be supportive, believe in what they are saying, work with them to help them to become aware of their responses to their experience; take time to find out what they want and help them to identify possible options and different solutions rather than give advice. With active listening we are avoiding barriers in communication and are showing respect for other opinions, attitudes and feelings. In other words, we are fully respecting the integrity of the person to whom we are listening to.

### Elements of active listening encouraging person to talk by:<sup>39</sup>

- Using non-verbal and paralinguistic signs: maintaining eye contact, nodding, using words like "Oh", "Ah", "Hmm"
- Using verbal signs e.g.: "And then ...", "Thank you", "Yes", "I see"
- Repeating keywords.
- Asking questions:
  - Show interest and encouragement: "Is there anything else you would like to say or ask?", "Do you feel you want to talk about what happened (to me or someone else)?", "Can I give you some further contacts in case you want more help?"
  - Get new information: "Have you spoken to anyone else about your situation?", "And what happened then?"
  - Understand feelings of the person: "How did you feel when that happened? What do you feel when you think/talk/remember the event? How does it feel to share the story/tell it to someone?"
  - To clarify certain points: "What do you mean when you say...?", "Can you give me an example?"

- Using summarising statements e.g.: "Did I understand you correctly ..."
- Reflect on what has been said by paraphrasing: "What I am hearing is...", "From what you are telling me..."
- Avoiding giving opinions, arguing or drawing conclusions.
- Avoiding to be distracted: side conversations, looking around, looking at documents, checking your phone
- Keeping your posture relaxed and open
- Do not interrupt – let the person finish what he/she is saying.
  - Allowing time for comfortable silence and thoughts that person can re-evaluate, remember details, or correct errors
  - Let your responses indicate to the other person that you are following what she is saying. **Use body language and provide feedback. Notice non-verbal communication i.e., body language, tone and pitch of the voice – listen for feelings and emotions as much as facts and words.**
  - Acknowledge the victim's problems, issues and feelings. Listen openly and with empathy and respond in an interested way, e.g.: **"I appreciate your willingness to talk about such a difficult issue"**
  - Follow-up after a short time to see whether the person is feeling any better.

38 Ajduković, M. (2012). *Vještine interpersonalne komunikacije*. U: Žižak, A., Vizek Vidović, V., Ajduković, A. (ur.) *Interpersonalna komunikacija u profesionalnim kontekstu*. University of Zagreb

39 Adapted from: *Sexual and gender-based violence – A two-day psychosocial support training. A training guide*, IFRC Reference Centre for Psychosocial Support.



Sometimes during the interview, the helper can find her/himself in a situation when the person does not disclose but they are concerned that the person might be a victim of human trafficking, so it is challenging for them to conduct or end the interview. They want to raise their concerns but sometimes are not sure what they should or should not tell to a person. It is important to make a contact and to start an open conversation. You can talk about person's living conditions, how they travelled to the office or what s/he will do after s/he leaves. Make sure you understand whether s/he is safe and follow up with conversational questions.<sup>40</sup>

These are some examples what you can tell or ask the person:

- Do you have somebody whom you trust and who can support you? When was the last time you were in contact with that person? Do you have the possibility to call or to visit that person whenever you feel that you need support? If not, why? Where are you going after you have spoken with me? Will you be with someone you trust?

You can end the conversation by summing up; and ask

- "Can I give you some further contacts in case you want more help?"

It is recommended to inform a person that s/he can contact or visit you or your colleagues if they want to talk or in case that they need help.

## IV. Cultural sensitivity

When working with migrants, we need to adopt culturally appropriate communication and take into account certain considerations. Cultures will affect people's ways of thinking and interpreting the world around them. Trafficked persons come from different backgrounds, with many social, cultural, economic, and linguistic differences. A victim's social, cultural and economic background, education, previous experiences and situation of exploitation will influence their reactions. Culturally appropriate communication requires adjusting approach and identifying appropriate resources, such as interpreters, to ensure that the person can communicate needs and have those needs understood.<sup>41</sup>

In communication with VoT it is important that workers are aware of their own and others values, norms and expectations, and in particular what each person defines as acceptable and unacceptable behaviour. It sets the bases for a respectful relationship with a potential victim from different cultures or environments, and it is essential for providing effective support. It is important to be aware of your own prejudices because they can influence on your understanding about what person is telling you.

### To respect cultural differences, here are some Do's and Don'ts in communicating across cultures:

- Identify your own prejudices.
- To be aware of the fact that there are different views of the world and different ways of doing the same tasks.
- To be aware of the fact that there are different ways of life and avoid any ethnocentrism.<sup>42</sup>
- Acknowledge how our own life conditions affect our personality and behaviour.
- To be aware of the fact that different people can have different opinions and ideas no matter of their cultural identity.
- Provide information in a language that the person understands.

- Keep in mind that in some cultures people are taught not to share information about their private life or express emotions in front of strangers – consequently, talking about personal experiences or feelings can cause discomfort to the person.
- Avoid judgments and making decisions that arise from prejudices, myths or stereotypes. Sensitivity, openness and understanding of cultural factors contribute to understanding of attitudes, behaviours and emotions of the person which may be different from yours and are the basis for successful communication with the potential victim.
- Some cultures have strictly defined rules about the appropriate interaction between men and women and the person should be given the right to choose the gender of their helper and interpreter.
- Do not assume there is only one right way of communicating. For example, consider body language – eyes contact and body poses that in one culture can mean openness and acceptance, and in the other can point to aggression.
- Expressions that describe emotions, affects and especially mental health concepts are culturally specific and may differ from the ones you are used to. In some cultures, people use different expressions to describe their feelings and emotions. Adjust your vocabulary to the person; use the expression the person is using. Encourage the person to explain what s/he means by mentioning this specific expression (this could be completely different – never assume).
- Don't make rapid or negative assumptions about individuals' reactions or behaviour. Consider possible cultural, social or personal reasons for individual reactions.
- Recognize the importance of religious beliefs in the victim's recovery, as well as their understanding of the trafficking experience in the context of their religion and cultural beliefs.

40 Human trafficking of migrants – trainers' toolkit, IFRC,

2018.

41 IOM Training Manual on Psychosocial Assistance for Trafficked Persons, 2017)

42 Ethnocentrism is judging another culture solely by the values and standards of one's own culture.

## V. Using interpreters

An interpreter is a crucial link between the trafficked person and the interviewing staff that is trying to assist the person in need. Access to professional and trustworthy interpreters is a very important factor in the identification, assistance and protection processes. Apart from covering the linguistic part of the interview, they often serve as cultural mediators; conveying concept and meaning of the discussion, as how information is communicated is vital for the case. If interpreting is good, it improves relationships while, unfortunately, poor interpretation can make irreparable damage. The good preparation of the interpreter before the interview starts is a key factor for developing a quality relationship.

### Selecting an interpreter

- Ask the PVoT if s/he has specific criteria for the kind of interpreters s/he wants (gender, nationality).
- Keep in mind that interpreters are human beings and not necessarily always neutral. Therefore, they need to be adequately screened and prepared for such interviews so that they can communicate important information correctly. Eventually, you can ask the interpreter after the interview what s/he thought about the language of the victim (level, specific vocabulary used).
- In case there is a need for interpretation, we should hire people whom we know or official court interpreters.
- **They must not have prejudice, biases or discriminate against the person** with whom they will be working as they significantly influence how the information gets conveyed.
- Beware of the background, cultural or geographical connections between the interpreter and the trafficked persons. Interpreters often come from the same or surrounding region as the victim. This may be comforting for some beneficiaries but for others it can be discouraging to speak about anything personal. They can be reluctant to disclose details about what has happened to them due to a fear of being judged or their case being revealed to their family or community.
- Careful selection of interpreters can help build victim's trust in the first contact and make the victim feel comfortable and safe.
- To keep the PVoT anonymous you can propose to use an interpreter by phone.
- If the interpreter has built a good relationship with the individual, try to use the same one for future appointments.
- It is advisable to use **professional interpreters who have a certain experience, respect professional boundaries and understand the importance of confidentiality.** Using professional interpreters improves the quality of the services provided and increases the likelihood that the potential victim will be provided with adequate and needed assistance.
- When selecting an interpreter, **consider the cultural, social, religious and political background of the potential victim.** Respect the right of the victim to only participate in the conversation with persons of a particular gender.
- Avoid using as an interpreter, if they come from the same community as the potential victim or the accompanying person, to ensure privacy, and confidentiality.
- In case of urgent need for interpretation when you don't have an official interpreter, and you need to use a person from the community, it is better first to ask a person if s/he has somebody whom she trusts to help with interpretation. If you select an interpreter, check with the person if s/he would feel comfortable to talk in front of that person.
- **Minors should not be used as translators even if they are family members of the potential victim.**
- It is necessary to ensure the **adequate preparation** of the interpreter before each conversation to prevent interpreters being judgmental, shocked or offended by the information that the victim may reveal. Interpreters should be fully briefed about the subject of trafficking and the range of physical and sexual abuse that often accompanies it. They should be familiar with the correct terminology in relation to trafficking, i.e. they do not translate human trafficking as smuggling etc.
- Carefully prepare the seating arrangement so that the helper sits in front of the victim, allowing adequate eye contact while **the interpreter sits in a neutral position** in the middle.
- Before the beginning of the conversation, it is necessary to check whether the language used by the interpreter is understandable to the victim. Ask the interpreter to explain that if there is difficulty in understanding, the client has a right to ask for a different interpreter.
- It is important that the helper **speaks clearly and slowly** (with adequate body language and appropriate eye contact) in short sections to allow the interpreter to accurately translate.
- Inform the interpreter that s/he should allow communication through literal translation of what the helper and the victim said, without adding, omitting, interpreting or exchanging information unless it is necessary to ensure that what is said is properly understood. **S/he is not responsible for running an interview and s/he should never give advice to a person or ask additional questions.** Let the interpreter know that they can ask you to re-phrase or to clarify if something is not clear.
- The interpreter should translate correctly, without adding or dropping relevant facts, while maintaining impartiality and objectivity.
- It is necessary to **provide professional support to the interpreter after the conversation** if the content of the conversation was extremely disturbing. Offer the interpreter an opportunity to debrief.

## 5. Assistance and protection of trafficked persons

### I. Human trafficking consequences

Trafficking victims suffer from psychological, social and physical consequences caused by traumatic experiences, abuse, exploitation and humiliation. The consequences of trafficking on a victim's health/wellbeing can be profound and long-lasting. People will usually require specialised support services adapted to their individual needs.

#### Psychological consequences<sup>44</sup>

The psychological consequences depend on various factors: individual characteristics, their previous life experience, the traumatic and stressful experiences and the associated fears and insecurities. It is important to keep in mind that some people, even before they became victims, might have had traumatic experiences or have suffered from abuse. Previous experiences, as well as experiences during exploitation, can have serious consequences that may include:

- **Emotional consequences** – anxiety, fear, insecurity, irritability, anger, shame, self-hate, self-blame, withdrawal, and feelings of helplessness.
- **Cognitive consequences** – concentration issues, hypervigilance, repeated experience of the traumatic event with flashbacks, nightmares or disturbing memories.
- **Behavioural changes** – sleeping problems, avoidance (some victims avoid certain situations that remind them of a traumatic event), social isolation, withdrawal, changes in their eating behaviour or substance abuse.
- **Mental health consequences** – depression, post-traumatic stress disorder, anxiety disorders and eating disorders as well as substance abuse.

#### Social consequences<sup>45</sup>

A person may have issues around trusting people again after being exploited. Therefore, they may become withdrawn and reserved which will affect relationships with partners, friends, family, neighbours and colleagues. Apart from personal, family and social aspects, the social consequences also depend on the individual's cultural background. In many cultures, victims are stigmatized and isolated from the community. They are often accused of being guilty of what happened to them. Stigma does not only affect the individual, but also their families, as well as the wider community. This can also affect the victim's relationship with a partner/family/whole community, sometimes causing separation from children, loss of jobs, affecting income as well as affecting roles the individual usually plays within the community.

#### Physical consequences

Victims of human trafficking are often exposed to serious physical injuries, physical exhaustion, starvation and substance abuse. Typical injuries can include bone fractures, stinging wounds, burns and other health related matters such as sexually transmitted diseases (e.g. HIV, gonorrhoea, chlamydia), unwanted pregnancy, abortion, etc. There is also an increased risk of multiple psychological, social and physical consequences.

### II. Victims' needs<sup>46</sup>

Due to being trafficked and experiencing exploitation, abuse and humiliation, victims can suffer from numerous consequences leading to a complexity of needs. Hence the needs of a person may require a greater number of services and the support provided will need to be specific to that individual.

We must take into account that the needs can differ depending on the age of the victim and the country of origin, i.e. domestic or foreign victims and whether assistance or support is provided in the country of origin. The urgency of support will also need to be considered and if a person requires long or short term support.

In order to gain insight into the victim's needs, an initial needs assessment should be conducted during the first contact with the victim, especially in situations where the person is in psychologically and emotionally negative state; or if there are specific needs or unfavourable conditions e.g. a large number of migrants who need to be assisted and supported in a short period of time.

When conducting a needs assessment, we should focus on the needs that require urgent response such as safety and/or medical needs, appointment of a legal guardian in a case the victim is a minor, etc. When urgent needs have been met, and in order to create an individual assistance and protection program and respond adequately to the short-term and long-term victim's needs, it is necessary to make a detailed needs assessment. It gives us an insight into victims' needs and our capacities, i.e. the needs that you can adequately respond to and those that exceed your organisation's capacities. In such case the victim will be referred to other service providers (institutions, organisations). Detailed needs assessment should include accommodation information, physical and mental health details, financial security, legal needs, work experience, interests and socio-cultural needs.

<sup>44</sup> Adapted from: *Sexual and gender-based violence – A two-day psychosocial support training. A training guide*; IFRC Reference Centre for Psychosocial Support.

<sup>45</sup> Adapted from: *Sexual and gender-based violence – A two-day psychosocial support training. A training guide*; IFRC Reference Centre for Psychosocial Support.

<sup>46</sup> Clawson, H.J. and Dutch, N., *Addressing the Needs of Victims of Human Trafficking: Challenges, Barriers and Promising Practices*, 2008.



In the following table we give you an example of urgent and long-term needs the victim may have in relation to the country of origin and age:

Needs of victims of human trafficking						
Type of needs/assistance		Foreign victim		Domestic victim		
		Adult	Minor	Adult	Minor	
Assistance activation	After identification	Safety	x	x	x	x
		Housing / Safe accommodation	x	x	x	x
		Psychological first aid	x	x	x	x
		Hygiene	x	x	x	x
		Food/clothing	x	x	x	x
		Emergency medical needs	x	x	x	x
		Information	x	x	x	x
		Special guardian		x		x
		Transport	x	x	x	x
		Translator/Interpreter	x	x		
	Short term	Culturally appropriate food/clothing	x	x	x	x
		Contact with family	x	x	x	x
		Medical assistance	x	x	x	x
		Legal advice / information on available assistance/ rights	x	x	x	x
	Long term	Psychological assistance	x	x	x	x
		Long term housing	x	x	x	x
		International housing	x	x		
		Education	x	x	x	x
		Temporary residency permit	x	x		
		Legal assistance	x	x	x	x
Advocacy/Humanitarian diplomacy		x	x	x	x	
Life skills		x	x	x	x	
Employment		x		x		
Family tracing / reunification		x	x	x	x	
Religious practice	x	x	x	x		
Repatriation	x	x				

**When responding to victim's needs, it is essential to create and adapt assistance and protection programs according to the local context, activities and capacities of relevant institutions and organisations, and to make sure the support provided is victim-centred.**

### Challenges in addressing victim's needs

There are rights that victims are legally entitled to. However, there can be difficulties in accessing or exercising those rights.

Challenges in addressing the victim's needs can be seen from two perspectives: from the perspective of the national legislative/NRM, which may result in certain restrictions in access to rights/accessibility to services, but also in terms of the victim's and frontline workers' relations.

Sometimes, the NRM sets conditions to victims' access to rights, e.g. cooperation of the victim with the law enforcement/justice. Additionally, challenges may also arise in relation to the length of services, lack of knowledge and understanding among service providers, availability of services, relevance of available services, victim's uncertain residence status, lack of coordination of services (case management) and language barriers (lack of trained available translators/interpreters).

From the victim's perspective, the greatest obstacles can arise because of the disrupted trust in others and the sense of loss of control over their lives. In order to adequately respond to the victim's needs, it is necessary to build trust and a quality relationship. In order to ensure appropriate assistance, it is essential to anticipate challenges in responding to victim's needs.

### III. Victims' rights<sup>47</sup>

Clear and consistent information to VoT on their rights is essential. These EU rights range from emergency assistance, long term support and health care to labour rights, legal rights; access to a lawyer, and on the possibilities of claiming compensation. EU legislation provides minimum standards, and Member States can go beyond these standards at national level as appropriate. The EU approach recognises the gender-specific nature of trafficking and the need for a child-sensitive approach, and it places the victim and its human rights at the centre of their work.

Victims are entitled to assistance and support as soon as the competent authorities have reasonable grounds to believe that they might have been trafficked. An important part of the assistance and protection programme and victim's recovery is to ensure that all persons who were identified or suspected of being trafficked are given a 'reflection period'. The reflection period allows trafficked persons to decide about accepting assistance and/or to remain in the country legally (third country nationals) whilst they recover from their situation and safely consider their options.

The reflection period needs to be accompanied by access to specialised services that can ensure physical safety, appropriate (safe) housing, legal aid to exercise their legal rights, counselling and medical, psychological and material assistance are provided. An individual can gain access to employment opportunities, education and skills training, language classes, and obtain translation and interpreting services during their support, rehabilitation to ensure for the physical, psychological and social recovery of the victim.

Age, gender, cultural aspects and special needs of victims, in particular the special needs of children, including appropriate and safe accommodation, education and care should be taken into consideration. Victims with special needs (in particular needs in relation to pregnancy, health, disability, physical or mental illness or have suffered serious physical, sexual or psychological violence) shall receive particular attention and specialised support.

#### Human trafficking and the asylum procedure

Human trafficking issues are deeply intertwined with asylum right and procedures. Trafficked person may qualify, under certain conditions, for the international protection. Simultaneously, asylum seekers or refugees may be identified as VoT. Moreover, the asylum procedure is likely to be diverted by traffickers to ensure that their victims have a temporary legal status on the territory – in such cases, the victims are often asked to provide a fake story to the asylum authorities and helpers.

The refugee status or subsidiary protection may be granted to the VoT if there is a risk of persecution or potential danger in case of return to their country of origin. This risk could be linked to another part of the victim's life story, for instance the reason why s/he decided to migrate in the first place, or may be directly connected to the fact that the person has been trafficked.

If the refugee status is not applicable, the subsidiary protection could be granted if s/he would face a real risk of suffering serious harm in case of return in the home country.

Consequently, it is important to inform the VoT about the possibility of asking for asylum. However, helpers and legal advisers should keep in mind that the rights and benefits attached to the asylum procedures and status should not overshadow the rights an identified victim of trafficking may hold, and vice-versa. The VoT should be fully informed of the national legislations and procedures attached to each status.

### IV. Referral

Often the victim's needs will expand beyond the capacities and mandate of your organisation/ institution. Cooperation and coordination with other service providers is essential when planning and implementing individual programmes. When you see that the needs of victims exceed your capacities, you need to identify locally available services, and identify service providers as potential associates when providing support to the victim. With this in mind, consider following questions:

- What are the needs of victims that your organisation cannot meet?
- Which organisation/institution provides this type of service?
- How can I establish cooperation with relevant organisations/institutions?
- Are there any particular reasons why we should not cooperate with this institution/organisation?

It is important to follow procedures set up by the organisation you are working for and requirements of the service providers to whom you are referring to. Whenever possible, arrange the process of referring victims to another organisation/service provider in advance and how the information exchange will take place. Inform the victim about your plans, procedures and the possibility of different outcomes. It is necessary to have the victim's informed consent before taking any steps in contacting other services to see the level of their current engagement. This must be done before forwarding the information and/or personal data to other organisations/institutions.

**It is recommendable to identify and evaluate in advance the abilities and capacities of some service providers who can take part in providing support to the victim of human trafficking, such as: organisations providing accommodation and legal counselling, relevant institutions that can help with law enforcement issues, so that the victim can continuously receive good quality support. It is advisable to prepare a list of service providers contacts in advance.**

#### What to know about other service providers:

- What forms of assistance they can provide?
- Are there restrictions on the provision of services (e.g. their beneficiaries legal status, payment options, etc.)?
- Do they have a legal obligation to report abuse, unaccompanied minors, juvenile pregnancies, etc.?
- Can they ensure an interpreter's services if needed?
- Do they have a prescribed procedure on how and who can refer a beneficiary to them?
- What is their expertise on victims' rights and specific knowledge on asylum procedures, etc.?

#### Case of trafficking in another country

If the victim has been trafficked in a third country, in most cases the national legislation will not be applicable and it will be more difficult to obtain protection. However, this should not prevent helpers to identify and support the victim.

Possible solutions are heavily dependent on national contexts and circumstances. Each situation should be examined on a case-by-case basis. Gather as much information as possible about the country, places, authors and conditions of exploitation. Ask the victim if s/he has been in contact with other organisations during her/his stay in the third country. With this information, try to contact local stakeholders or authorities.

If the victim is an asylum seeker affected by the Dublin legislation, the fact that s/he has been trafficked in the third country could be sufficient ground to cancel the procedure. Do not hesitate to refer the case to a specialised legal adviser or lawyer.

Sometimes the event of exploitation may be historic and has taken place a long time ago, in a foreign country. This should not prevent workers from trying to identify the person as a VoT and provide them with support, even if they are not eligible to access rights based on the national law or to enter the NRM.

<sup>47</sup> European Commission, *The EU Rights of Victims of Trafficking in Human Beings*, 2013

<sup>48</sup> United Nations Office on Drugs and Crime, *Toolkit to Combat Trafficking in Persons, Principles of Victims Assistance, Tool 8.1 Obligation of States*, 2008

## 6. Caring for staff and volunteers

Working with victims of human trafficking, who may be traumatized or in a difficult life situation, may also impact the helpers wellbeing. In some cases, when the helper is working with people experiencing traumatic events, s/he can experience stress symptoms, burn-out syndrome, strong emotional reactions and even indirect traumatisation. By developing self-care skills, taking responsibility for our own health, and engaging in available staff and volunteers support programs, it is possible to look after the helper's mental health.<sup>49</sup>

The professional or work stress is caused by the imbalance between job demand and the environment, as well as the opportunities, desires and expectations to meet these requirements.<sup>50</sup> When working with beneficiaries, it is important to recognize the moment when the daily stress load

exceeds the usual limit of stress tolerance. Achieving an awareness of what makes a certain situation difficult and leads to stress and/or burn-out allows us to prevent further effects of professional stress and burn-out.

Causes of stress in helpers	
Individual characteristics of the helper	Organisational related stressors
<ul style="list-style-type: none"> <li>- Unrealistic work expectations</li> <li>- Excessive identification with work and beneficiaries</li> <li>- The need for complete control over the situation</li> <li>- Excessive work dedication</li> <li>- Heroic aspirations</li> <li>- Refusing to delegate work</li> <li>- Excessive persistence in goals achievement</li> <li>- Poor work reassignment</li> <li>- Inadequate priority setting at work</li> <li>- A feeling of professional incompetence</li> </ul>	<ul style="list-style-type: none"> <li>- Physically heavy, exhaustive and dangerous tasks</li> <li>- Daily contact with beneficiaries</li> <li>- Lack of time</li> <li>- Dealing with moral and ethical dilemmas</li> <li>- Great responsibility</li> <li>- Poorly defined organisational structure</li> <li>- Unclear work reassignment</li> <li>- Lack of professional trainings</li> <li>- Feeling frustrated by the decisions of the superiors</li> <li>- Lack of supervision</li> </ul>

Although stress reactions are individual, in general, they can manifest through these four categories of stress signs:<sup>51</sup>

- **Emotional (our feelings):** sadness, anger, mood swings, apathy, guilt, helplessness and panic.
- **Cognitive (our thoughts and efforts to understand):** self-criticism, forgetfulness, recurring thoughts, difficulty concentrating.

- **Physical (our body reaction):** sweaty hands and palms, fast heart rate, facial flushing, hands shaking (trembling), pain in different parts of the body, insomnia or excessive sleep
- **Behavioural (our actions):** crying, aggression, uncontrolled behaviour outburst, withdrawal from others, excessive alcohol, cigarettes and coffee consumption.

### Burn-out

Burn-out syndrome is one of the worst consequences of professional stress. With some individual differences, most of the burn-out symptoms are common to all people.<sup>52</sup>

The most common symptoms of burn-out are: loss of motivation and dedication to work, a sense of physical and emotional exhaustion, negative feelings about oneself, work and organisation, helplessness, guilty, insufficiency, neglect of work duties, delays, indifference to others, withdrawal from social relations, frequent conflicts and aggressive outbreaks. Other symptoms could be irritability and a low tolerance level to frustration, intolerance and suspicion, loss of compassion towards beneficiaries, loss of concentration, depression, hypersensitivity to stimuli, loss of self-confidence and self-esteem, cynicism and physical symptoms such as headache, respiratory problems, insomnia, appetite changes or nausea, etc.

Although burn-out is associated with work, its presence clearly manifests outside the working environment as well. During the later stages, the burn-out syndrome characteristics become visible both at the workplace and at home.

**Indirect traumatisation of helpers** involves the psychological effects of work with beneficiaries who have survived a traumatic event or violence. The helpers can get the same symptoms and difficulties that beneficiaries may have and the most common are: forced thoughts, nightmares, sorrow and depression, irritability, feeling helpless, chronic fatigue, digestive disorders, increased susceptibility to accidents and infections, increased alcohol abuse and narcotic use.<sup>53</sup> The consequences of indirect traumatisation are present in both private and professional life.

Helpers' wellbeing is both the responsibility of the individual and the organisation.

### Organisational support

There is a misbelief that exposure to trauma or extreme circumstances are most often causes of stress in helpers. Instead, they face a more frequent kind of stress that comes from working conditions and organisational issues.<sup>54</sup>

In order to support staff and volunteers who are assisting victims of trafficking and any kind of violence, a proper support system should be in place. Main activities that should be included are:

- Training of staff and volunteers on human trafficking, psychosocial support and self-care
- Available support for frontline workers
- Regular supervisions meetings and psychosocial support sessions

If helpers are under stress, it is less likely that they will provide quality service to beneficiaries. It is very important to observe our own stress signs and react in order to decrease their effects on wellbeing. It is equally important to recognize when our colleagues are under stress so that we can understand them better, react according to situation and communicate with them in a supportive way. One of the most useful methods of coping with stress in working environments is participation in supervision meetings. In a safe environment, helpers can share the problems they are facing in their work regarding beneficiary-related difficulties, professional competencies, workplace conditions, their attitudes, feelings and values that arise when working with beneficiaries, relationships with colleagues etc. With the support of supervisor's expertise and feedback from other participants in the supervision group, a helper can work on prioritization of difficulties to improve work with beneficiaries within the organisation.

49 Kraljević, R. i Lalić Novak, G. (2014). *Zaštita izbjeglica i ranjivih skupina migranata – priručnik za edukatore*. Zagreb: Hrvatski Crveni križ  
50 Ajduković, M i Ajduković, D. (ur.)(1996). *Pomoć i samopomoć u skrbi za*

*mentalno zdravlje pomagača*. Zagreb: Društvo za psihološku pomoć  
51 Ajduković, D., Bakić, H i Ajduković, M. (2016). *Psihosocijalna podrška u kriznim situacijama velikih razmjera*. Zagreb: Hrvatski Crveni križ

52 Admira (2005). *Prevention of Professional Burn-out with Care Workers: Self-Care and Organizational Care*.  
53 Kraljević, R. (2010). *Psiko-socijalna pomoć migrantima – priručnik za*

*stručnjake i pomagače*. Zagreb: Hrvatski Crveni križ.  
54 *Caring for volunteers*, IFRC Reference Centre for Psychosocial Support



### Reducing the stress experience at the organisational level:

- Create sense of belonging, trust and mutual support;
- Take action if there are situations of conflict between colleagues;
- Provide sufficient information on tasks;
- Provide clear assignments and rules;
- Ensure adequate working conditions, fair distribution of work and breaks;
- Reduce stressors (noise, overcrowding, inability to move);
- Give acknowledgment and gratitude.

### Self-care

In order to provide professional and quality service to the victims, helpers need to take care of their mental health, educate themselves and continuously work on improving their coping and self-care skills.

It is very difficult to avoid exposure to daily stressors at work, so it is important to find the most effective ways of coping with stress, or ways in which stressful reactions can be prevented or mitigated.

**Stressful situations are causing unpleasant reactions. When a person experiences a stressful situation s/he will try to solve it in various ways. There are no universal positive coping strategies. You need to identify your own, individual coping strategies which will be most effective for you and help you to stay healthy.**

Some of the successful/positive coping strategies:

- setting professional boundaries
- improve professional skills
- structuring time
- delegate responsibilities
- learn to prioritise
- learn how to say "no"
- avoiding excessive identification with beneficiaries
- learn how to relax (hobbies and relaxation techniques)
- seeking support from colleagues
- participation at supervision meetings.

### If you notice following signs, please contact your supervisor/team leader/line manager:

- The victim's story is overwhelming and you have difficult time to cope with it;
- You don't know how to respond (verbally and non-verbally) to the victim's story;
- You have a feeling of guilt and helplessness after closing the case;
- You have sleeping difficulties.

## Annex 1 – Development of legal framework for addressing human trafficking

This annex displays the international and EU legislations that provide for various instruments on addressing trafficking in human beings. They establish robust provisions on victim protection, assistance and support, but also on prevention and prosecution of the crime.

International anti-trafficking efforts, responses and activities started to intensify around the year of 2000 with the UN Palermo Protocol, followed by the Council of Europe Convention and EU Directive (see below). These international efforts consequently led to changes in national legislations of EU member states, the development of national anti-trafficking policies and referral mechanisms (not in a formal sense in each state though) and strong civil society involvements to enhance victim protection and support.

### International framework

#### 2000

##### The fight against trafficking in human beings

UN Convention against Transnational Organised Crime and the Protocols Thereto: The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air.

#### 2000

##### Responding to exploitation of children

Convention on the Rights of the Child and the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.

#### 2014

##### Combating all forms of forced labour

International Labour Organisation Protocol to the Forced Labour Convention.

### European framework

#### 2005 (into force 2008)

##### Human rights perspective and focus on victim protection

The Council of Europe Convention on Action against Trafficking in Human Beings (Convention of Warsaw).

#### 2007

##### Protection of children from sexual exploitation

Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

#### 2011

##### The punishment of human trafficking in European countries

Directive 2011/36/EU of the European Parliament and of the Council on preventing and combating trafficking in human beings and protecting its victims, and replacing council framework decision 2002/629/JHA.

## **Annex 2 – Factors shaping the vulnerability of migrants to human trafficking**

Push and pull factors refer to the causes of migration among people. Push factors relate to often unsustainable conditions (socioeconomic, political, environmental stability and others) which force people to leave their homes, while pull factors encourage and attract people to move to a certain area for a higher level of life prosperity and safety. Traffickers employ these factors to coerce their victims, with promises of better life and increased opportunities.

<b>Country classification</b>	<b>Push factors</b>	<b>Pull factors</b>
When in home countries (country of origin)	<ul style="list-style-type: none"> <li>- Social and cultural practices</li> <li>- Gender discrimination and sexual violence<sup>55</sup></li> <li>- Instability and political unrest</li> <li>- Abuse and violence</li> <li>- Lack of employment, access to education</li> <li>- Corruption</li> <li>- Weak infrastructure</li> <li>- Lack of freedoms, liberties</li> <li>- Trauma</li> <li>- Poverty</li> <li>- Debts</li> <li>- Family disruptions</li> <li>- Climatic conditions</li> </ul>	<ul style="list-style-type: none"> <li>- Better employment or educational opportunities</li> <li>- Reunion with family</li> <li>- Better climate conditions in other regions</li> <li>- Lesser impact of unrest/war</li> </ul>
While in transit	<ul style="list-style-type: none"> <li>- Family separations</li> <li>- Lack of medical and psychological support</li> <li>- Living conditions</li> <li>- Fear of authorities and detention</li> <li>- Lack of legal channels for migration; using services of smugglers</li> <li>- Hostile environment</li> <li>- Language barrier</li> <li>- Lack of money</li> <li>- Time spent in transit without resources</li> <li>- Insufficient legislation and weak enforcement against trafficking</li> <li>- Lack of information on HT</li> </ul>	<ul style="list-style-type: none"> <li>- Better employment or educational opportunities</li> <li>- Reunion with family</li> <li>- Better climate conditions in other regions</li> <li>- Lesser impact of unrest/war</li> </ul>
When in destination	<ul style="list-style-type: none"> <li>- Gender inequality</li> <li>- Lack of knowledge on rights (labour, social)</li> <li>- Language barrier</li> <li>- Discrimination and social exclusion</li> <li>- Inadequate and poor living condition, overcrowded centres</li> <li>- Degrading treatment</li> <li>- Limited access to health, social and legal services</li> </ul>	<ul style="list-style-type: none"> <li>- Demand for cheap labour of various sorts</li> <li>- Family links and diaspora communities</li> <li>- Better services available</li> <li>- Political and religious freedom</li> <li>- Prospect of a more stable economic and political environment</li> </ul>

\*As almost all countries in the world are affected by human trafficking, the risk factors/root causes in these countries/regions classification can often have overlapping effects.

<sup>55</sup> Gender discrimination and sexual violence – when communities are severely disrupted, there is often a rapid shift in gender codes. Migrants face extremely elevated levels of sexual violence at all stages of their migratory experience. People are sometimes forced to exchange sexual services for means of survival for themselves and their families.



Photo © MOAS



## **Annex 3 – Case studies**

In the interests of protecting anonymity, names and locations have been changed.

### **Provided by the British Red Cross**

Mary is in her 30s and has a young baby. As a young girl she was trafficked by family members from her home country in Africa into domestic servitude in the UK. She believed that she was coming to the UK to get an education and to escape the sexual abuse she had been subject to at home since she was a child. When she arrived, she was forced to work long days looking after the children and house, her documents were removed, she was not allowed out and she received no pay.

Before coming to British Red Cross, she had approached social services in two UK cities and neither had recognised indicators of trafficking in her history. Both local authorities had offered to accommodate her only if she agreed to return to the country from which she had been trafficked and where her only support mechanism after many years in the UK would have been the family who were complicit in trafficking her to the UK. When she refused, both local authorities would not support her further and threatened to remove her baby from her care due to her risk of homelessness. When she approached British Red Cross she had nowhere to stay that night.

The British Red Cross caseworker was able to talk to Mary about her experiences, providing her with emotional support. She told us that she was aware of the crime of modern slavery but had never realised that it applied to her. The caseworker explained her rights and entitlements and was able to advocate on her behalf for ongoing accommodation from children's services while talking through her options. This enabled Mary to make an informed choice to enter the National Referral Mechanism and support provision. She is seeking legal advice and also plans to make a claim for asylum. Without support from the Red Cross, Mary would have been faced with an impossible choice between losing her child and returning to a country where she would have no support and would be at risk of being trafficked again.

### **Provided by the Italian Red Cross**

Hana is 16 years old, is the oldest of three siblings and lives in Benin City. Her father died few years ago and her mother sells fruits around the city to earn some money and raise her three children. Hana does some odd jobs to help the family, but she would like to continue studying and is tired of seeing her mother ashamed every day because she can't give her children a better future.

A neighbour of Hana one day tells her that she can help her family. The neighbour has a friend in Italy who would welcome her and help her to find a job. Hana doesn't have to pay anything, but would have to return the money once she got to her destination started earning.

Before leaving, she told Hana that she had to make a deal, "a pact" before the departure to insure that she would repay the debt. A few days later she starts the journey with other girls on the bus from Benin City to Agadez, Niger. She is brought to the ghetto with the other girls; there are many young girls in the connection house waiting to leave for Libya.

On the border between Niger and Libya they are forced to provide sexual services in exchange for crossing the border. That's where Hana starts to understand that the journey is not what she thought. Once arrived in Libya she remains for a few days closed in a "connection house" where she waits to leave for Italy. She receives a phone number to call as soon as she arrives in Italy. She calls her neighbour's friend, Mama J. who reassures her, telling her that someone will pick her up when she arrives in Sicily and take her to northern Italy. Hana arrives with a "Lapalapa" (boat) in the port of Catania along with 10 young Nigerian girls accompanied by an old woman who speaks Italian. When the Italian Red Cross operators welcome Hana, she is visibly afraid, she looks to the ground and does not respond even when we ask how she feels. She is accompanied by the old woman who speaks Italian and replies instead of her by saying that Hana is fine, she is just tired and she has no needs at the moment. We understand that Hana is one of the

hundreds of girls arriving in Italy by sea for sexual exploitation purposes. We try to speak to her alone, we inform her on the risks of trafficking and give her a small card with the national anti-trafficking helpline on and explain she can call if she is in need. The case is reported to the competent authorities, and Hana is separated from the Mama. She will be hosted in a reception centre for vulnerable women from which she will leave a few days after her arrival after a call with the "Boga" (which is equivalent to the "Madame" for men), who pays her a ticket to Rome.

After arriving to the destination, Mama J. shows her the apartment she will share with other girls. The next day Hana received the new clothes for sexual services and together with the other girls. They go on the road. Hana understands that she will not be a hairdresser or a babysitter. The payment of the piece of pavement where she is forced to prostitute herself will also be added to the debt. The debt is not 30,000 naira but of 30,000 euros, Hana understands at that point that she was a sex slave.

### **Provided by Spanish Red Cross**

The family unit consists of a 23-year-old woman and a 5-year-old son. She has been staying in an asylum reception centre for 6 months. She is pregnant and in the next weeks she will give birth.

At her home country, Ivory Coast, she lived with her husband and three children in a cocoa plantation. They had a conflict with the owner of the plantation and as a result of it, her husband disappeared. Thus, she and three children had left with her husband's family.

The husband's family wanted to practice the ablation on her 6-year-old daughter, but she refused. She had serious disputes about it. Therefore, she decided to leave the country to Mali with two of her children. Her eldest son stayed with his uncle until she could be settled in the country. She spent some time in Mali, but her husband's family found her and she decided to continue the trip.

At that time, she was trapped between several networks and sexually exploited in Mali. She states, that during the migration from Mali to North Africa, she was sold from one network to another and that her daughter died.

She continued the trip with her son, who is with her today. The travel was organised by a network but we do not know if it refers to a trafficking or smuggling network.

For an unknown reason, she spent some time in prison and a man, also imprisoned, asked his family to pay bail for the woman. Both left prison and continued the journey together. They arrived to Libya, but crossing to Europe and surviving in that country was very complicated so they continued their way until Morocco.

In Morocco they lived for a while together, but afterwards they continued their journey separately (they do not mention anything else about the man) and the woman and her son managed to reach for Spain.

When she arrived in Spain, she and her son stayed in a temporary shelter for a few days with some compatriots who went from working as seasonal workers to Huelva province, before leaving without notice. She did not know these people and says she has not had any relationship with them again. She states that during her one-week stay in Huelva someone told her to ask the Spanish Red Cross for help.

She applied for international protection and has been staying in the shelter since then. She states that she is pregnant as a result of a rape (an issue that she has manifested on many occasions).

She has not mentioned that she had any debt to anyone, nor that she is receiving pressure of any kind. However, there are certain suspicions to think that this family unit presents special vulnerability, so the psychosocial and educational team are close. Her imminent birth can be especially painful because of her life history.

She has not mentioned at any time that she had external pressures, debts for the trip, etc. However, she only begun to detail part of her story.



## Glossary

**Asylum seeker** is a non-citizen recognised by a State to be in need of protection; such persons must normally claim asylum in the country concerned. While her/his application is being considered, the claimant may be described as an asylum seeker; if the claim is accepted, s/he becomes a refugee. Claiming asylum is a legal process.

**Child/Minor** is every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.

**Coercion** is forcing, or attempting to force, another person to engage in behaviours against her/his will by using threats, verbal insistence, manipulation, deception, cultural expectations or economic power.

**Consent** is when a person makes an informed choice to do something. The phrase against her/his will is used to indicate an absence of informed consent. There is no consent when an agreement is obtained through the use of threats, force or other forms of coercion, abduction, fraud, deception, or misrepresentation. In case of children, any form of consent to human trafficking or sexual acts is not relevant.

**Debt** bondage refers to a system by which a person is kept in bondage by making it impossible for him or her to pay off actual or imagined debts.<sup>56</sup>

**Deception** is understood as misleading a person by words or conduct about the nature of work or services to be provided (i.e., promises of legitimate work), the conditions of work, the amount of the salary, the extent to which the person will be free to leave her/his place of residence, or other circumstances involving exploitation of the person.<sup>57</sup>

**Exploitation and abuse** occurs when power is misused to the detriment of those persons who cannot negotiate or make decisions on an equal basis. Exploitation and abuse can take the form of physical and psychological force or other means of coercion (threats, inducements, deception or extortion) with the aim of gaining sexual or other favours in exchange for services.

**Irregular or undocumented migrant** (no universally accepted legal definition) is a foreign person who is present on a State's territory without any legal status, for short or long period of time. A person can be considered an irregular migrant in different situations, for example as a result of entering this State without a valid passport or travel documents. This expression also includes the persons who had a legal visa or resident permit which has expired or whose asylum application has been rejected.

**Migrant** is a person who leaves or flees his or her habitual residence to go to new places – usually abroad – to seek opportunities or safer and better prospects. Migration can be voluntary or involuntary, but usually involves a combination of choices and constraints.

**Mixed migration** is a term that refers to complex population movements composed of people that have different reasons for moving and distinct needs, including smuggled migrants, unaccompanied minors, refugees and asylum seekers, victims of trafficking, and other migrants.

**National Referral Mechanism (NRM)** is defined as a co-operative framework through which State actors fulfil their obligations to protect and promote the human rights of trafficked persons, co-ordinating their efforts in a strategic partnership with civil society.<sup>58</sup>

**Potential victim or PVoT (potential victim of trafficking)** is a person showing strong indicators of being or having been in a situation related to human trafficking, and who has not been formally identified as such by the relevant authorities. Within this document, this expression can refer to multiple possible cases and scenarios, as frontline workers could meet a PVoT at different stage of the human trafficking process:

- Prior to the beginning of the exploitation (for instance, the person has been recruited or transported or has endured abuses that could be means used to set up an exploitative situation, however s/he has not yet been exploited);
- During the exploitation phase;
- After the exploitation has ended (for instance, the exploitation has occurred in another country and the victim has managed to escape from her/his traffickers).

In some cases, the PVoT could show signs of being exploited but further assessment will indicate that this particular situation does not fall under the official definition of human trafficking.

**Unaccompanied minor** is a child who is under the age of eighteen, unless, under the law applicable to the child, majority is, attained earlier and who is “separated from both parents and is not being cared for by an adult who by law or custom has responsibility to do so”.

**Refugee** is a person who has been forced to flee his or her country because of a well-founded fear of persecution. Refugees may fear persecution for a number of reasons including their race, religion, nationality, membership of a particular social group, or political opinion. Formally, the 1951 Refugee convention states that a refugee is “a person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.

**Separated children** are those separated from both parents, or from their previous legal or customary primary care-giver, but not necessarily from other relatives. These may, therefore, include children accompanied by other adult family members.

**Victim** is a person who has lived through an experience of human trafficking.

**Violence** is a mean of control and oppression that can include emotional, social or economic force, coercion or pressure, as well as physical harm. It can be overt, in the form of a physical assault or threatening someone with a weapon; it can also be covert, in the form of intimidation, threats, persecution, deception or other forms of psychological or social pressure.

<sup>56</sup> United Nations, Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, Treaty Series, vol. 266, No. 3822, 7 September 1956.

<sup>57</sup> United Nations Office on Drugs and Crime, Model Law against Trafficking

in Persons, (op. cit. note 5), p. 12.

<sup>58</sup> OSCE Office for Democratic Institutions and Human Rights, National Referral Mechanisms: Joining Efforts to Protect the Rights of Trafficked Persons, A Practical Handbook, Warsaw, 2004, pp. 15-16.

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